



LAND USE BYLAW NO. 733

December 2020

TABLE OF CONTENTS

SECTION 1 ENACTMENT	1
1.1 Title	1
1.2 Purpose	1
1.3 Application of Bylaw	1
1.4 Conformity with Bylaw	1
1.5 Additional Requirements	1
1.6 Transitional Provisions	1
1.7 Severability	1
1.8 Interpretation	1
SECTION 2 DEVELOPMENT AUTHORITY	3
2.1 Development Officer	3
2.2 Duties and Powers of the Development Officer	3
SECTION 3 LAND USE DISTRICTS	4
3.1 Establishment of Land Use Districts	4
3.2 Land Use District Symbols	4
3.3 Land Use District Map	4
3.4 Land Use District Boundaries	4
3.5 Residential Single Detached (RS) District	6
3.6 Residential General (RG) District	8
3.7 Residential Multi-Unit (RM) District	10
3.8 Rural Residential (RR) District	12
3.9 Manufactured Home Community (MHC) District	13
3.10 Primary Commercial (CP) District	15
3.11 Highway Commercial (CH) District	17
3.12 General Industrial (IG) District	19
3.13 Business Industrial (IB) District	22
3.14 Public Service (PS) District	25
3.15 Public Utilities (PU) District	26
3.16 Urban Reserve (UR) District	27
3.17 Direct Control (DC) District	28
SECTION 4 GENERAL REGULATIONS	29
4.1 Approaches and Driveways	29
4.2 Building Height	29
4.3 Corner and Through Lots	30
4.4 Design, Character and Appearance of Buildings	30
4.5 Dwelling Units per Lot	30
4.6 Exterior Storage	31
4.7 Fencing and Screening	31
4.8 Landscaping	32
4.9 Lighting	32
4.10 Lot/Site Coverage	32
4.11 Objects Prohibited In Districts	33
4.12 Parking and Loading Facilities	33
4.13 Permitted Encroachments	37
4.14 Relocation of Buildings	37
4.15 Removal of Topsoil and Site Grading	37
4.16 Transportation	38

SECTION 5 SPECIAL REGULATIONS	39
5.1 Accessory Buildings	39
5.2 Bed and Breakfast	39
5.3 Cannabis Retail Sales	40
5.4 Cannabis Production Facility	40
5.5 Car and Truck Washes	41
5.6 Child Care Facilities	41
5.7 Communication Towers and Antenna Systems	41
5.8 Decks	41
5.9 Drive-Through Businesses	42
5.10 Home Based Business	42
5.11 Manufactured Homes	43
5.12 Religious Assembly	44
5.13 Satellite Dish Antennas	44
5.14 Secondary Suites	44
5.15 Service Stations and Gas Bars	45
5.16 Signs	46
5.17 Solar Collectors	47
5.18 Solar Energy Facilities	47
5.19 Temporary Storage	47
5.20 Wind Energy Conversion Systems (WECS), Small Scale	48
SECTION 6 ADMINISTRATIVE PROVISIONS	49
6.1 Development Permits Required	49
6.2 Development Permits Not Required	49
6.3 Forms	50
6.4 Development Permit Applications	50
6.5 Subdivision Applications	51
6.6 Determination and Notification of Complete Applications	52
6.7 Referrals	52
6.8 Development Officer’s Discretion	53
6.9 Conditions of a Development Permit or Subdivision Approval	54
6.10 Notification of Decision	55
6.11 Appeals	56
6.12 Amendments	57
6.13 Compliance and Enforcement	58
SECTION 7 DEFINITIONS	60
SCHEDULES	
Schedule A	Land Use District Map
Schedule B	Land Use Bylaw Forms
Schedule C	Land Use Bylaw Amendments

Note: Red italicized text denotes defined terms.

SECTION 1 ENACTMENT

1.1 Title

1.1.1 This bylaw may be cited as the “Town of Wembley Land Use Bylaw”.

1.2 Purpose

1.2.1 The purpose of this bylaw is to manage the use and *development* of land and *buildings* within the *Town* to achieve the orderly, economical and beneficial *development* of land.

1.3 Application of Bylaw

1.3.1 The provisions of this bylaw apply to all land and *buildings* within the boundaries of the *Town*.

1.4 Conformity with Bylaw

1.4.1 No person shall *commence* or continue any *development* unless it is in accordance with this bylaw and the terms and conditions of a *development permit* issued pursuant to this bylaw, where such a permit is required.

1.4.2 Nothing in this bylaw prevents the use of any *lot, building or structure* for any purpose not permitted by this bylaw if such *lot, building or structure* was lawfully used for such purpose on the date of passing this bylaw provided it is used for that purpose on a continuous, uninterrupted basis.

1.5 Additional Requirements

1.5.1 In addition to meeting the requirements of this bylaw, it is the responsibility of the applicant to obtain other such permits, approvals or licenses that may be required by the *Town* or other government departments and agencies.

1.6 Transitional Provisions

1.6.1 An application for a *development permit* that is received in its complete and final form prior to the effective date of this bylaw shall be processed in accordance with Bylaw No. 603 as amended.

1.7 Severability

1.7.1 In the event any portion of this bylaw is found invalid or is overturned by a Court of Law, the validity of the remaining portions of this bylaw shall not be affected.

1.8 Interpretation

1.8.1 The words “shall”, “will” and “must” require mandatory compliance except where a *variance* has been granted pursuant to the *Act* or this bylaw.

1.8.2 In the event of a conflict between the text of this bylaw and the *Act*, the *Act* shall take precedence.

- 1.8.3 In the case of a conflict between the text of this bylaw and any maps or drawings used to illustrate any aspect of this bylaw, the text shall take precedence.
- 1.8.4 In the case of a conflict between a Land Use District requirement and the General Regulations (**Section 4**) or Special Regulations (**Section 5**), the Land Use District requirement shall take precedence.
- 1.8.5 Metric values shall be used for the purpose of determining correct dimensions used in this bylaw. The imperial measurement is included for convenience only. Where metric and imperial measurements conflict, the metric value shall take precedence.

SECTION 2 DEVELOPMENT AUTHORITY

2.1 Development Officer

- 2.1.1 The office of the *Development Officer* is hereby established, and such office shall be filled by a person or persons to be appointed by resolution of *Council*.
- 2.1.2 The *Development Officer* is authorized to act as a “Development Authority” pursuant to the Act.
- 2.1.3 *Council* shall serve as the Development Authority as it relates to decisions respecting a Direct Control District.

2.2 Duties and Powers of the Development Officer

- 2.2.1 The *Development Officer* shall:
- (a) Be hereby appointed as a “Designated Officer” for the purposes of entering and inspecting land;
 - (b) Receive, consider and, with the exception of applications in a Direct Control District, decide upon all applications for *development permits*;
 - (c) Keep and maintain for inspection by the public during office hours, a copy of this Bylaw and all amendments thereto; and
 - (c) Undertake all administrative functions as required by legislation and keep a register of all applications for *development*, including the decisions therein and the reasons therefore, for a minimum period of seven (7) years.
- 2.2.2 Notwithstanding **Section 2.2.1(b)** the *Development Officer*:
- (a) May refer any *development permit* application to *Council* for advice; and
 - (b) May refer *development permit* applications to *Council* for advice for those *uses* not listed either as *Permitted Uses* or *Discretionary Uses* in the subject Land Use District.

SECTION 3 LAND USE DISTRICTS

3.1 Establishment of Land Use Districts

3.1.1 For the purpose of this bylaw, all lands within the *Town* are divided into the following Land Use Districts:

<u>Land Use District</u>	<u>Symbol</u>
Residential Single Detached	RS
Residential General	RG
Residential Multi-Unit	RM
Rural Residential	RR
Manufactured Home Community	MHC
Primary Commercial	CP
Highway Commercial	CH
General Industrial	IG
Business Industrial	IB
Public Service	PS
Public Utility	PU
Urban Reserve	UR
Direct Control	DC

3.2 Land Use District Symbols

3.2.1 Throughout this bylaw and amendments thereto a Land Use District may be referred to either by its full name or by its abbreviation as set out in **Section 3.1** above.

3.3 Land Use District Map

3.3.1 The Land Use District Map, as may be amended or replaced from time to time, attached as **Schedule A** to this bylaw, divides the *Town* into Land Use Districts.

3.4 Land Use District Boundaries

3.4.1 Where uncertainty exists as to the boundaries of districts as delineated in the Land Use District Map, the following rules shall apply:

- (a) Where a boundary is shown as approximately following a *lot line*, it shall be deemed to follow the *lot line*.
- (b) In circumstances not covered by **Section 3.4.1(a)**, the location of the Land Use District boundary shall be determined:
 - (i) Where dimensions are set out on the Land Use District Map, by the dimensions so set; or
 - (ii) Where dimensions are not set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.

3.4.2 *Council* shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

- 3.4.3 Where a Land Use District has been established in accordance with a proposed *subdivision* of land, the Land Use District shall be understood to conform to the instrument that is registered in a land title office. Prior to such registration, the Land Use District boundary shall be determined on the basis of the scale of the map.
- 3.4.4 The Land Use District standards of this bylaw do not apply to *highways, roads, or lanes*.
- 3.4.5 Notwithstanding **Section 3.4.4**, in the event that a portion of *highway, road or lane* be closed by bylaw, the Land Use District(s) that apply to the lands *abutting* the closure area shall be applied to the closure area. Should the entire width of a *highway, road or lane* be closed, and two or more Land Use Districts apply on opposite sides of the closure area, the boundary between the different Land Use Districts shall follow the theoretical centre line of the closure area between those Land Use Districts.

3.5 Residential Single Detached (RS) District

3.5.1 Purpose

The purpose of this Land Use District is to provide for low density residential *development* in the form of *single detached dwellings*.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Permitted Use</i> • <i>Park</i> • <i>Single Detached Dwelling</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Discretionary Use</i> • <i>Bed and Breakfast</i> • <i>Child Care Facility</i> • <i>Home Based Business</i> • <i>Public Building or Use</i> • <i>Religious Assembly</i> • <i>Secondary Suite</i> • <i>Solar Collector</i>

3.5.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)		372 m ² (4,000 ft ²) Add 46 m ² (500 ft ²) for <i>corner lot</i> .
(b) <i>Lot/Site Width</i> (Minimum)		12.2 m (40 ft) Add 1.5 m (5 ft) for <i>corner lot</i> .
(c) <i>Front Yard</i> (Minimum)		6.1 m (20 ft)
(d) <i>Rear Yard</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	7.5 m (25 ft) 0.9 m (3 ft)
(e) <i>Side Yard, Interior</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	1.5 m (5 ft) 0.9 m (3 ft)
(f) <i>Side Yard, Exterior</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	3.3 m (10 ft) 1.5 m (5 ft)
(g) <i>Building Height</i> (Maximum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	8.5 m (28 ft) 5.5 m (18 ft)
(h) <i>Lot/Site Coverage</i> (Maximum)		33 percent

3.5.3 Additional Requirements

- (a) In the case of laneless subdivisions, the *Development Officer* shall ensure that *lot widths* and *development setbacks* are such that a front drive *garage* may be accommodated on each *site*.

- (b) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of a proposed *development* and the intent of this Land Use District.

3.6 Residential General (RG) District

3.6.1 Purpose

The purpose of this Land Use District is to provide for low density residential *development* in the form of *single detached dwellings* with provisions for *duplex* and other low-density *multi-unit dwelling* forms.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Permitted Use</i> • <i>Duplex</i>, Side-Side • <i>Duplex</i>, Up-Down • <i>Park</i> • <i>Single Detached Dwelling</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Discretionary Use</i> • <i>Bed and Breakfast</i> • <i>Child Care Facility</i> • <i>Home Based Business</i> • <i>Manufactured Home</i> • <i>Multi-Unit Dwelling</i> (maximum 4 units) • <i>Public Building or Use</i> • <i>Religious Assembly</i> • <i>Residential Care Facility</i> • <i>Secondary Suite</i> • <i>Solar Collector</i>

3.6.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	<ul style="list-style-type: none"> • <i>Duplex</i> (Up-Down) • <i>Duplex</i> (Side-Side) • <i>Multi-Unit Dwelling</i> • All Other <i>Uses</i> • <i>Corner Lot</i> 	372 m ² (4,000 ft ²) 279 m ² (3,000 ft ²) per unit if <i>lot</i> has access to a rear <i>lane</i> 331 m ² (3,560 ft ²) per unit if <i>lot</i> does not have access to a rear <i>lane</i> 186 m ² (2,000 ft ²) per unit 464 m ² (5,000 ft ²) Add 46 m ² (500 ft ²)
(b) <i>Lot/Site Width</i> (Minimum)	<ul style="list-style-type: none"> • <i>Single Detached Dwelling</i> and <i>Duplex</i> (Up-Down) • <i>Duplex</i> (Side-Side) • <i>Multi-Unit Dwelling</i> • <i>Corner Lot</i> 	12.2 m (40 ft) 7.6 m (25 ft) per unit if <i>lot</i> has access to a rear <i>lane</i> 9.1 m (30 ft) per unit if <i>lot</i> does not have access to a rear <i>lane</i> 6.1 m (20 ft) per unit Add 1.5 m
(c) <i>Front Yard</i> (Minimum)		6.1 m (20 ft)
(d) <i>Rear Yard</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	7.5 m (25 ft) 0.9 m (3 ft)

(e) <i>Side Yard, Interior</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	1.5 m (5 ft) 0.9 m (3 ft)
(f) <i>Side Yard, Exterior</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	3.3 m (10 ft) 1.5 m (5 ft)
(g) <i>Building Height</i> (Maximum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	8.5 m (28 ft) 5.5 m (18 ft)
(h) <i>Lot/Site Coverage</i> (Maximum)		40 percent

3.6.3 Additional Requirements

- (a) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of the *development* and the intent of the district.

3.7 Residential Multi-Unit (RM) District

3.7.1 Purpose

The purpose of this Land Use District is to provide for the *development* of medium and high density multiple *dwelling units*.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Permitted Use</i> • <i>Multi-Unit Dwelling</i> • <i>Park</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Discretionary Use</i> • <i>Public Building or Use</i> • <i>Residential Care Facility</i> • <i>Solar Collector</i>

3.7.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	<ul style="list-style-type: none"> • <i>Multi-Unit Dwelling</i> (Street-Oriented) • <i>Multi-Unit Dwelling</i> (Apartment) • <i>Corner Lot</i> 	186 m ² (2,000 ft ²) per unit 929 m ² (10,000 ft ²) Add 46 m ² (500 ft ²)
(b) <i>Lot/Site Width</i> (Minimum)	<ul style="list-style-type: none"> • <i>Multi-Unit Dwelling</i> (Street-Oriented) • <i>Multi-Unit Dwelling</i> (Apartment) • <i>Corner Lot</i> 	7.5 m (25 ft) per unit 30.5 m (100 ft) Add 1.5 m (5 ft)
(c) <i>Front Yard</i> (Minimum)		7.5 m (25 ft)
(d) <i>Rear Yard</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	7.5 m (25 ft) 1.5 m (5 ft)
(e) <i>Side yard, Interior</i> (Minimum)	<ul style="list-style-type: none"> • <i>Multi-Unit Dwelling</i> (Street-Oriented) • All Other <i>Uses</i> • <i>Accessory Building</i> 	1.5 m (5 ft) 3.3 m (10 ft) 0.9 m (3 ft)
(f) <i>Side Yard, Exterior</i> (Minimum)	<ul style="list-style-type: none"> • <i>Principal Building</i> • <i>Accessory Building</i> 	4.5 m (15 ft) 3.3 m (10 ft)
(g) <i>Building Height</i> (Maximum)	<ul style="list-style-type: none"> • <i>Multi-Unit Dwelling</i> (Street-Oriented) • All Other <i>Uses</i> • <i>Accessory Building</i> 	8.5 m (28 ft) 11 m (36 ft) 4.5 m (15 ft)
(h) <i>Lot/Site Coverage</i> (Maximum)		40 percent

3.7.3 Additional Requirements

- (a) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of the *development* and the intent of the district.
- (b) A minimum of thirty percent (30%) of a *site* to be used for an apartment shall be required for recreational and *landscaping* purposes to the satisfaction of the *Development Officer*. The areas of balconies, patios, and *indoor recreation* facilities, including swimming pools and communal lounges for free use of the tenants may, at the discretion of the *Development Officer*, be used in the calculation of the total requirement for recreational and *landscaping* areas.
- (c) In addition to the above, apartment *developments* shall satisfy the *Development Officer* as to parking design, *building* design and location, garbage storage provisions, safety of access, and amenity or leisure space.

3.8 Rural Residential (RR) District

3.8.1 Purpose

The purpose of this Land Use District is to accommodate existing residential acreages.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Permitted Use</i> • <i>Home Based Business</i> • <i>Single Detached Dwelling</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Discretionary Use</i> • <i>Solar Collector</i>

3.8.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	3 ha (7.4 ac)
(b) <i>Front Yard</i> (Minimum)	46 m (150 ft)
(c) <i>Rear Yard</i> (Minimum)	25 m (82 ft)
(d) <i>Side Yard</i> (Minimum)	25 m (82 ft)

3.8.3 Additional Requirements

- (a) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of the *development* and the intent of the district.

3.9 Manufactured Home Community (MHC) District

3.9.1 Purpose

The purpose of this Land Use District is to provide for the *development* of comprehensively designed *manufactured home communities* in which individual dwelling *sites* are provided on a leased, rental or condominium basis.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Permitted Use</i> • <i>Manufactured Home</i>, Double Wide • <i>Manufactured Home</i>, Single Wide • <i>Park</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Discretionary Use</i> • <i>Child Care Facility</i> • <i>Home Based Business</i> • <i>Public Building or Use</i> • <i>Solar Collector</i>

3.9.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Dwelling Site Area</i> (Minimum)	<ul style="list-style-type: none"> • Single Section • Multiple Section 	316 m ² (3,400 ft ²) 371 m ² (4,000 ft ²)
(b) <i>Dwelling Site</i> Length (Minimum)	<ul style="list-style-type: none"> • Single Section • Multiple Section 	30.5 m (100 ft) 27 m (88.5 ft)
(c) <i>Dwelling Site</i> Width (Minimum)	<ul style="list-style-type: none"> • Single Section • Multiple Section 	10.4 m (34 ft) 13.7 m (45 ft)
(d) <i>Front Yard</i> (Minimum)		3.3 m (10 ft)
(e) <i>Rear Yard</i> (Minimum)		2 m (6.5 ft)
(f) <i>Side Yard</i> (Minimum)		1.2 m (4 ft)

3.9.3 Additional Requirements

- Within any *manufactured home community*, a minimum of five percent (5%) of the total area shall be developed for general recreation *uses*, of which a minimum area of 2 m² (22 ft²) per *manufactured home dwelling site* shall be developed as playground areas.
- For *manufactured home communities* containing fifty (50) or more dwelling *sites*, two (2) separate means of access to a public *road* shall be provided. These access points may be in the form of one internal access *road* containing two (2) carriageways separated by a centre *boulevard*. Internal *roads*, parking and loading areas shall be paved to the satisfaction of the *Development Officer*.
- All areas of a *manufactured home community* shall be landscaped and shall include the planting of a minimum of one (1) tree per dwelling *site*.
- Every *manufactured home dwelling site* shall front on to a private *road*, and be clearly marked by means of stakes, *fences*, hedges or other means satisfactory to the *Development Officer*.

- (e) Every *manufactured home community* shall provide one (1) off-street *parking stall* per dwelling *site*, plus one (1) off-street *parking stall* per four (4) dwelling *sites*.

3.10 Primary Commercial (CP) District

3.10.1 Purpose

The purpose of this Land Use District is to provide for office and retail commercial *developments* generally intended to locate in the central business area of the *Town*.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Permitted Use</i> • <i>Financial Services</i> • <i>Gas Bar</i> on Lot 1, Plan 7822876 only • <i>Medical Clinic</i> • <i>Personal Services</i> • <i>Professional Services</i> • <i>Restaurant</i> • <i>Retail Store</i> • <i>Sign</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Discretionary Use</i> • <i>Accessory Dwelling</i> • <i>Amusement Facility</i> • <i>Cannabis Retail Sales</i> • <i>Community Hall or Facility</i> • <i>Contractor. Limited</i> • <i>Drinking Establishment</i> • <i>Drive-Through Business</i> • <i>Emergency Services</i> • <i>Hotel</i> • <i>Motel</i> • <i>Parking Lot</i> • <i>Private Club or Lodge</i> • <i>Public Building or Use</i> • <i>Religious Assembly</i> • <i>Solar Collector</i>

3.10.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	232 m ² (2,500 ft ²)
(b) <i>Lot/Site Width</i> (Minimum)	7.5 m (25 ft)
(c) <i>Front Yard</i> (Minimum)	None required
(d) <i>Rear Yard</i> (Minimum)	3.3 m (10 ft), unless a fire rated wall is provided, in which case none is required. Where no <i>rear yard</i> is provided, no part of the <i>building</i> such as a door or window shall be permitted to extend beyond the <i>rear lot line</i> .
(e) <i>Side Yard</i> (Minimum)	<ul style="list-style-type: none"> • If <i>adjacent</i> to a residential Land Use District. • All other locations if a fire rated wall is provided. <div style="display: flex; justify-content: space-between; margin-top: 10px;"> 3.3 m (10 ft) None </div>
(f) <i>Building Height</i> (Maximum)	10.5 m (35 ft)

3.10.3 Additional Requirements

- (a) All *sites abutting* a residential Land Use District shall be screened from view of the residential Land Use District to the satisfaction of the *Development Officer*.
- (b) All roof top appurtenances shall be screened to the satisfaction of the *Development Officer*.
- (c) All outside storage areas shall be screened from *adjacent sites* and from public areas to the satisfaction of the *Development Officer*.
- (d) The design, construction and architectural appearance of any *building* shall be to the satisfaction of the *Development Officer*.
- (e) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of the proposed *development* and the intent of this Land Use District.

3.11 Highway Commercial (CH) District

3.11.1 Purpose

The purpose of this Land Use District is to provide for certain commercial *uses* which are intended to serve the motoring public, have extensive land and/or outside storage requirements, and are located on heavily travelled *roads*.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Permitted Use</i> • <i>Car and Truck Wash</i> • <i>Dealership</i> • <i>Gas Bar</i> • <i>Museum</i> • <i>Restaurant</i> • <i>Retail Store</i> • <i>Service Station</i> • <i>Sign</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Discretionary Use</i> • <i>Accessory Dwelling</i> • <i>Automotive and Equipment Repair</i> • <i>Building Supplies</i> • <i>Bulk Fuel, Chemical or Cardlock</i> • <i>Drive-Through Business</i> • <i>Fleet Service</i> • <i>Hotel</i> • <i>Mini Storage</i> • <i>Motel</i> • <i>Public Building or Use</i> • <i>Solar Collector</i>

3.11.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	1,115 m ² (12,000 ft ²)
(b) <i>Lot/Site Width</i> (Minimum)	30.5 m (100 ft)
(c) <i>Front Yard</i> (Minimum)	9.1 m (30 ft)
(d) <i>Rear Yard</i> (Minimum)	6.1 m (20 ft)
(e) <i>Side Yard</i> (Minimum)	3.3 m (10 ft)
(f) <i>Building Height</i> (Maximum)	<ul style="list-style-type: none"> • <i>Museum</i> 15.2 m (50 ft) • <i>All Other Uses</i> 10.5 m (35 ft)
(g) <i>Lot/Site Coverage</i> (Maximum)	50 percent including <i>accessory buildings</i>

3.11.3 Additional Requirements

- (a) *Landscaping* may be required to the satisfaction of the *Development Officer*.
- (b) All roof top appurtenances and outside storage areas shall be screened from view to the satisfaction of the *Development Officer*.
- (c) Provision for adequate vehicular traffic circulation and parking shall be provided on all *sites* in accordance with **Section 4.12**.

- (d) All areas provided for parking or access shall be indicated on the plan and shall be constructed to the satisfaction of the *Development Officer*.

3.12 General Industrial (IG) District

3.12.1 Purpose

The purpose of this Land Use District is to provide for manufacturing, processing, assembly, distribution, service, and repair *uses* which may require some outdoor operations or outdoor storage areas.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Permitted Use</i> • <i>Auto Body and Paint Shop</i> • <i>Automotive and Equipment Repair</i> • <i>Car and Truck Wash</i> • <i>Contractor, General</i> • <i>Contractor, Limited</i> • <i>Dealership</i> • <i>Equipment and Pipe Storage</i> • <i>Light Manufacturing Industry</i> • <i>Sign</i> • <i>Storage Yard</i> • <i>Warehouse</i> • <i>Welding Shop</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Discretionary Use</i> • <i>Agricultural Industry</i> • <i>Bulk Fuel, Chemical or Cardlock</i> • <i>Bulk Retail</i> • <i>Cannabis Production Facility</i> • <i>Communication Tower and Antenna System</i> • <i>General Industrial Use</i> • <i>Mini Storage</i> • <i>Public Building or Use</i> • <i>Recreational Vehicle Storage</i> • <i>Solar Collector</i> • <i>Solar Energy Facility</i> • <i>Truck and Rail Transload Facility</i> • <i>Truck Terminal</i> • <i>Wind Energy Conversion System, Small Scale</i>

3.12.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	1,858 m ² (20,000 ft ²)
(b) <i>Lot/Site Width</i> (Minimum)	30.5 m (100 ft)
(c) <i>Front Yard</i> (Minimum)	7.5 m (25 ft)
(d) <i>Rear Yard</i> (Minimum)	6.1 m (20 ft)
(e) <i>Side Yard</i> (Minimum)	1.5 m (5 ft), unless a fire rated wall is provided, in which case none is required.
(f) <i>Building Height</i> (Maximum)	12.2 m (40 ft) 48.2 m (158 ft) for a sand storage structure established prior to the enactment of this bylaw on SW 22-71-8-W6M

3.12.3 Additional Requirements

- (a) A minimum of ten percent (10%) of the *site* shall be landscaped to the satisfaction of the *Development Officer*. The entire *site* shall be maintained in a neat and orderly fashion to the satisfaction of the *Development Officer*.
- (b) All *sites adjacent* to a residential Land Use District shall be buffered and screened from view of the residential Land Use District to the satisfaction of the *Development Officer*.
- (c) Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:
 - (i) Obvious toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public;
 - (ii) No industrial operation shall be carried out which would result in the projection of glare or heat onto *adjacent* properties; and
 - (iii) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (d) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of a proposed *development* and the intent of this Land Use District.
- (e) Where an application for a *development permit* is for an activity that involves or may involve the use or storage of hazardous substances or *dangerous goods*, the *Development Officer* may require the applicant to submit a Risk Assessment prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist. The *Development Officer* may impose any conditions necessary to mitigate the risks associated with the use or storage of hazard substances identified in the assessment. The Risk Assessment shall:
 - (i) Identify hazardous substances and their quantities;
 - (ii) Estimate the expected frequency of the occurrence of a hazardous event;
 - (iii) Assess the possible consequences of such an event;
 - (iv) Determine annual individual risk and compare to Major Industrial Accidents Council of Canada (MIACC) risk acceptability criteria;
 - (v) Demonstrate how the proposed facility and operations shall contribute to the following risk management objectives:
 1. Risk reduction at source (siting of facilities, modifications to processes, conformity to legislation e.g. the *Safety Codes Act*, the *Dangerous Goods Transportation and Handling Act*, monitoring, technical changes, training, etc.),
 2. Risk reduction through land use planning around industrial *sites* and pipeline and *dangerous goods* corridors,
 3. Emergency preparedness,
 4. Emergency response,
 5. Risk communication and public participation; and
 - (vi) Identify and recommend risk-based separation distances and other mitigation measures to reduce risk.
- (f) The *Development Officer* may require the preparation of an emergency response plan as a condition of a *development permit* to ensure that emergency services requirements for fire, rescue, and ambulance are met.

- (g) Notwithstanding any other regulations in this bylaw, any industrial and commercial *uses* that involve the manufacture, storage, handling, distribution or disposal of explosives and/or chemical materials or products shall not be located on *sites* that, in the opinion of the *Development Officer*, would be considered unsafe or may unduly interfere with, or affect the use, enjoyment or value of neighbouring properties.

3.13 Business Industrial (IB) District

3.13.1 Purpose

The purpose of this Land Use District is to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed *building* and to accommodate limited, compatible commercial businesses. The industrial and limited commercial businesses shall also be compatible with any *adjacent* non-industrial Land Use District. This Land Use District should normally be located on the periphery of industrial areas and *adjacent* to arterial or major collector *roads* including the future connector *road* between the Philip J. Currie Dinosaur Museum and the future Highway 43 interchange access *road*. It should also be applied as a transitional district between the Museum and the General Industrial (IG) District.

<i>Permitted Uses</i>	<i>Discretionary Uses</i>
<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Permitted Use</i> • <i>Professional Services</i> • <i>Retail Store</i> • <i>Sign</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use</i> to a <i>Discretionary Use</i> • <i>Car and Truck Wash</i> • <i>Contractor, General</i>, subject to Section 3.13.3(i) • <i>Contractor, Limited</i> • <i>Drinking Establishment</i> • <i>Fleet Service</i> • <i>Gas Bar</i> • <i>General Industrial Use</i>, where primary activities occur indoors, subject to Section 3.13.3(i) • <i>Greenhouse</i> • <i>Mini Storage</i> • <i>Parking Lot</i> • <i>Private Club or Lodge</i> • <i>Public Building or Use</i> • <i>Recreation, Indoor</i> • <i>Restaurant</i> • <i>Veterinary Clinic</i> • <i>Warehouse</i>

3.13.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	1,858 m ² (20,000 ft ²)
(b) <i>Lot/Site Width</i> (Minimum)	30.5 m (100 ft)
(c) <i>Front Yard</i> (Minimum)	9.1 m (30 ft) No area for parking, loading or storage, or any other like purpose shall be permitted within 7.5 m of

	the <i>front yard abutting</i> the <i>road</i> right-of-way.
(d) <i>Rear Yard</i> (Minimum)	6.1 m (20 ft)
(e) <i>Side Yard</i> (Minimum)	3.3 m (10 ft), unless a fire rated wall is provided, in which case none is required.
(f) <i>Building Height</i> (Maximum)	12.2 m (40 ft)
(g) <i>Lot/Site Coverage</i> (Maximum)	50 percent including <i>accessory buildings</i>

3.13.3 Additional Requirements

- (a) All *development permit* applications shall include a *landscaping* plan prepared by a qualified professional to the satisfaction of the *Development Officer*.
- (b) A minimum of ten percent (10%) of the *site* shall be landscaped to the satisfaction of the *Development Officer*. The entire *site* shall be maintained in a neat and orderly fashion to the satisfaction of the *Development Officer*.
- (c) All *sites abutting* a residential Land Use District, or an existing residential *use* shall be buffered and screened from view of the residential Land Use District through *landscaping*, berming, *fencing* or a combination thereof to the satisfaction of the *Development Officer*.
- (d) Each separate *lot* shall not have more than one (1) *driveway* access or *approach* to any public *road* and shall be laid out having regard to continuity of traffic flow, the safety of vehicles and pedestrians, and avoidance of dangerous intersections to the satisfaction of the *Development Officer*. This may be increased to two (2) *driveways* accesses or *approaches* if both are centred on the *lot's* property lines to enable shared access to the *adjacent lots*.
- (e) Outdoor Storage:
 - (i) Outdoor storage shall be permitted only when accessory to a permitted principal *use*.
 - (ii) An approved storage area shall be located to the rear of the *principal building* to conceal it from view of all public *roads*. Where this is not possible, an approved outdoor storage area shall be fenced, screened and landscaped to the height and extent considered necessary by the *Development Officer* to conceal it from view of all public *roads*.
- (f) Appearance:
 - (i) All *buildings* shall be of a design that is to the satisfaction of the *Development Officer*.

- (ii) *Front yards* shall be landscaped in accordance with the plans approved by the *Development Officer*. The entire *site* and all *buildings* shall be maintained in a neat and tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.
- (g) Any operation approved as a *general industrial use* including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:
 - (i) Obvious toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public;
 - (ii) No industrial operation shall be carried out which would result in the projection of glare or heat onto *adjacent* properties; and
 - (iii) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (h) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of a proposed *development* and the intent of this Land Use District.
- (i) Applications for *general contractor* or *general industrial use developments* shall not be approved within 150 m (492 ft) of the Philip J. Currie Dinosaur Museum located on Lot 3, Block 1, Plan 112 4144.

3.14 Public Service (PS) District

3.14.1 Purpose

The purpose of this Land Use District is to provide for the *development* of *public uses* such as *parks* and *schools*.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Permitted Use</i> • <i>Community Hall or Facility</i> • <i>Park</i> • <i>Recreation, Indoor</i> • <i>School</i> • <i>Sign</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Discretionary Use</i> • <i>Arena</i> • <i>Campground</i> • <i>Curling Rink</i> • <i>Public Building or Use</i> • <i>Solar Collector</i> • <i>Wind Energy Conversion System, Small Scale</i>

3.14.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Front Yard</i> (Minimum)	9.1 m (30 ft)
(b) <i>Rear Yard</i> (Minimum)	7.5 m (25 ft)
(c) <i>Side Yard</i> (Minimum)	4.5 m (15 ft)
(d) <i>Building Height</i> (Maximum)	12.2 m (40 ft)

3.14.3 Additional Requirements

- (a) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of a proposed *development* and the intent of this Land Use District.

3.15 Public Utilities (PU) District

3.15.1 Purpose

The purpose of this Land Use District is to provide for the *development* of *public utility* infrastructure.

<i>Permitted Uses</i>	<i>Discretionary Uses</i>
<ul style="list-style-type: none"> • <i>Public Utility</i> 	<ul style="list-style-type: none"> • <i>Solar Collector</i> • <i>Solar Energy Facility</i> • <i>Wind Energy Conversion System, Small Scale</i>

3.15.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Front Yard</i> (Minimum)	<i>Approving Authority</i> discretion
(b) <i>Rear Yard</i> (Minimum)	<i>Approving Authority</i> discretion
(c) <i>Side Yard</i> (Minimum)	<i>Approving Authority</i> discretion
(d) <i>Building Height</i> (Maximum)	<i>Approving Authority</i> discretion

3.15.3 Additional Requirements

- (a) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of a proposed *development* and the intent of this Land Use District.

3.16 Urban Reserve (UR) District

3.16.1 Purpose

The purpose of this Land Use District is to provide for the continuation of existing rural pursuits and future urban expansion.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Permitted Use</i> • <i>Agriculture, Extensive</i> 	<ul style="list-style-type: none"> • <i>Accessory Building or Use to a Discretionary Use</i> • <i>Communication Tower and Antenna System</i> • <i>Greenhouse</i> • <i>Market Garden</i> • <i>Park</i> • <i>Public Building or Use</i> • <i>Sign</i> • <i>Single Detached Dwelling</i> • <i>Solar Collector</i> • <i>Wind Energy Conversion System, Small Scale</i>

3.16.2 Site Provisions

In addition to the regulations contained in **Section 4** and **Section 5**, the following standards shall apply to every *development* in this Land Use District.

(a) <i>Lot/Site Area</i> (Minimum)	<i>Approving Authority</i> discretion
(b) <i>Lot/Site Width</i> (Minimum)	<i>Approving Authority</i> discretion
(c) <i>Front Yard</i> (Minimum)	<i>Approving Authority</i> discretion
(d) <i>Rear Yard</i> (Minimum)	<i>Approving Authority</i> discretion
(e) <i>Side Yard</i> (Minimum)	<i>Approving Authority</i> discretion

3.16.3 Additional Requirements

- (a) The *Development Officer* may decide on such other requirements as are necessary having regard to the nature of a proposed *development* and the intent of this Land Use District.

3.17 Direct Control (DC) District

3.17.1 Purpose

The purpose of this Land Use District is to provide for unique forms of *development* or to enable *development* to occur in areas of unique character or circumstance.

3.17.2 Development Regulations

- (a) All land uses and regulations contained in a Direct Control District shall be determined by *Council* based on the requirements of the *development* that is the subject of the Direct Control District.
- (b) All *development* shall conform to the provisions of the Municipal Development Plan.
- (c) All regulations of this Bylaw shall apply unless such regulations are specifically excluded or modified in the Direct Control District.

3.17.3 Administrative Provisions

- (a) When deciding on an application, *Council* shall consider the following:
 - (i) Existing and future use of neighbouring lands;
 - (ii) Servicing of the subject property;
 - (iii) Access to the subject property; and
 - (iv) Any considerations that are unique to the proposed *development* and/or the subject property.
- (b) The *Development Officer* may require the applicant to submit any or all of the following documents to support their application:
 - (i) An explanation of the intent of the project and why a Direct Control District is necessary;
 - (ii) The features of the project, which make it desirable to the general public, which includes an elevation of how the project complements existing and future plans for the surrounding lands;
 - (iii) A design package that includes the following information:
 - 1. Location of all *buildings*;
 - 2. Elevation and architectural treatment of all *buildings* and associated *structures*;
 - 3. Proposed servicing scheme;
 - 4. All *yard setbacks, lot/site coverage, lot/site areas, floor areas*, lot size, and number of *parking stalls*; and
 - 5. Any other information as requested by the *Development Officer* so that they may complete a thorough review of the application.
- (c) Prior to *Council* making a decision on a bylaw amendment application to create a Direct Control District, the applicant shall conduct a public meeting to provide an opportunity for the *registered owners of adjacent lots* and other interested parties to comment and make submissions on the proposal. This meeting will be in addition to the public hearing and will be completed at least four (4) weeks prior to the scheduled first reading date of the proposed bylaw amendment.
- (d) In accordance with the *Act*, there is no appeal to the *Board* for decisions made by *Council* on applications on lands in a Direct Control District.

3.17.4 Site-Specific Direct Control Districts

Placeholder for future use.

SECTION 4 GENERAL REGULATIONS

4.1 Approaches and Driveways

4.1.1 All **development** shall have legal and physical access to a public **road** to the satisfaction of the **Town**.

4.1.2 An **approach** on a **corner lot** shall be set back a minimum distance of 6.1 m (20 ft) from the intersection of the **front lot line** and **side lot lines** (**Figure 4.1**).

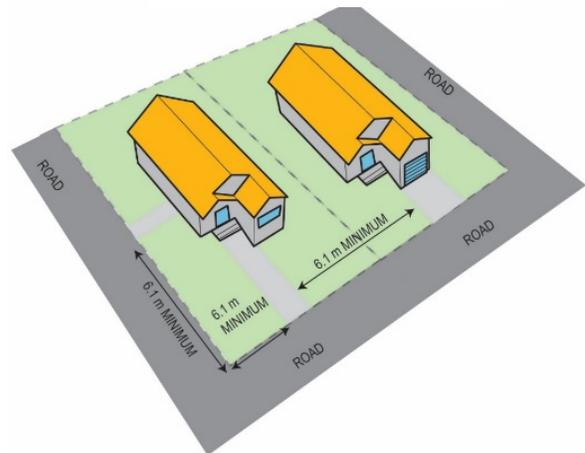
4.1.3 The minimum distance between driveway **approaches** on the same side of a **road** shall be 6.1 m (20 ft), measured at the **lot line**. The **Development Officer** may vary the minimum distance where such **variance** is necessary by reasons of **lot** configuration, location of infrastructure, public safety or convenience.

4.1.4 The maximum width of an **approach** to a **driveway** shall not exceed 10.5 m (35 ft).

4.1.5 The sides of driveway **approaches** crossing sidewalks or **boulevards** may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the **driveway** shall in no case be less than 45 degrees.

4.1.6 Prior to the construction of a driveway **approach**, the **developer** shall obtain a **Driveway Crossing Permit** from the Town. No driveway **approach** shall be constructed, used or allowed to be used except in accordance with the terms and conditions of an approved **Driveway Crossing Permit**.

Figure 4.1: Approach Distances

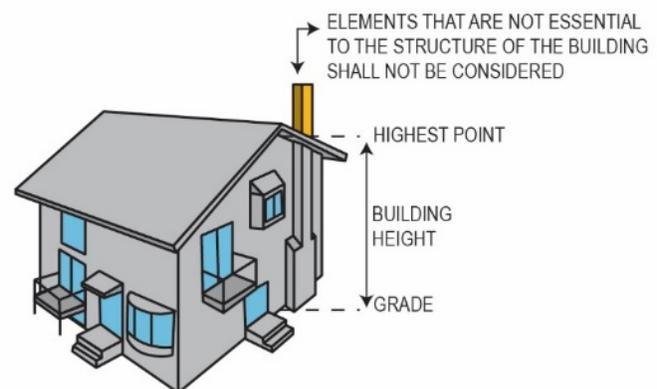


4.2 Building Height

4.2.1 In determining the highest point of a **building** or **structure** (**Figure 4.2**), elements that are not essential to the **structure** of the **building** or **structure** shall not be considered, including but not limited to the following:

- (a) Elevator housing;
- (b) Mechanical housing;
- (c) Roof entrances;
- (d) Ventilation fans;
- (e) Skylights;
- (f) **Solar collectors**;
- (g) Wind energy systems;
- (h) Steeples;
- (i) Antennas;
- (j) Smokestacks or chimneys;

Figure 4.2: Building Height



- (k) Fire walls;
- (l) Parapet walls; and
- (m) Flagpoles.

4.3 Corner and Through Lots

4.3.1 No *fence*, wall, *structure* or *landscaping* located within the area defined as a *sight triangle* on a *corner lot* (**Figure 4.3**) shall exceed 1.0 m (3 ft) in height.

4.3.2 At the *Development Officer's* discretion the distance referred to **Figure 4.3** may be reduced to 2.1 m (7 ft).

4.3.3 Notwithstanding any other provision contained in this bylaw, no person shall place or maintain any object, *structure*, *fence*, hedge, shrub, or tree within a *sight triangle* if, in the opinion of the *Development Officer*, such objects or *structures* interfere with traffic safety.

4.3.4 The *front lot line* of a *corner lot* shall be the narrower of the *lot lines abutting a road*, excluding a *lane*, except where the *lot lines* of a *corner lot* are equal, in which case the *Development Officer* shall determine the location of the *front lot line*.

4.3.5 A *through lot* (**Figure 4.4**) shall have a *front yard* on each parallel *road* in accordance with the *front yard* requirements of the applicable Land Use District.

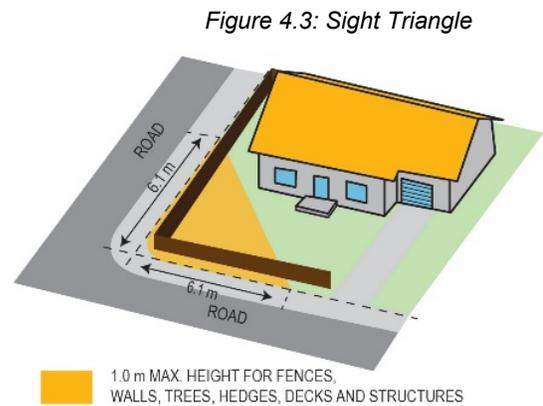


Figure 4.4: Corner and Through Lots



4.4 Design, Character and Appearance of Buildings

4.4.1 The quality of exterior treatment and design of all *buildings* shall be to the satisfaction of the *Development Officer*.

4.4.2 Pursuant to **Section 4.4.1**, the *Development Officer* may consider the following when reviewing *development* proposals in all Land Use Districts:

- (a) The design, character and appearance of all *buildings* with respect to their compatibility with any other *buildings* existing in the vicinity;
- (b) The design of the *building* must be consistent with the purpose of the Land Use District in which it is located.

4.5 Dwelling Units per Lot

4.5.1 No person in the *Town* shall *construct* or cause to be constructed more than one (1) *dwelling unit* per *lot*.

4.5.2 **Section 4.5.1** does not apply to:

- (a) *Duplexes*;
- (b) Dwellings containing *secondary suites*;

- (c) *Multi-unit dwellings*; and
- (d) Dwellings that are located within an approved *manufactured home community*.

4.6 Exterior Storage

- 4.6.1 *Exterior storage* associated with an approved *development permit* shall be kept in a clean and orderly manner at all times and shall be screened from *roads* and *adjacent residential uses* to the satisfaction of the *Development Officer*.
- 4.6.2 Exterior display of goods and materials shall normally be *temporary* and shall be arranged and maintained in a clean and orderly manner. The location of an exterior display shall be to the satisfaction of the *Development Officer*.
- 4.6.3 Any *exterior storage* or display shall not unduly interfere with the amenities of the neighbourhood or materially interfere with the use, enjoyment or value of neighbouring lots.
- 4.7.4 Any *exterior storage* or display shall not interfere with pedestrian or vehicular circulation or occupy any required *parking stalls*.

4.7 Fencing and Screening

- 4.7.1 *Screening* shall be provided in the form of *fencing*, berming, or hard or soft *landscaping* in order to visually separate areas which detract from the surrounding neighbourhood unless in the opinion of the *Development Officer* it is not necessary or feasible. The construction and materials of the *screening* shall be of a quality to the satisfaction of the *Development Officer*.
- 4.7.2 Subject to **Section 4.3.1**, *fences* located within a residential Land Use District shall be placed within the *lot lines* and must not exceed the following height limits:
 - (a) 1.2 m (4 ft) along the *front lot line*;
 - (b) 1.2 m (4 ft) along the first 4.6 m (15 ft) of the *side lot line* perpendicular from the *front lot line* to a maximum of 1.8 m (6 ft) on the remaining *side lot line*; and
 - (c) 1.8 m (6 ft) along the *rear lot line*.
- 4.7.3 *Fences* located within a residential Land Use District shall be built in a manner that allows for the removal of a section with a minimum length of 2.4 m (8 ft) to allow for servicing of the water shut off valve. Free and clear access to the shut off valve must be available at all times.
- 4.7.4 A solid *fence* with a minimum height of 1.8 m (6 ft) shall be provided on commercial or industrial *lots* that *abut* residential *lots*, unless a landscaped *buffer* is provided in accordance with **Section 4.8.3**.
- 4.7.5 Where a *fence* has been permitted to be higher than 1.8 m (6 ft) in the General Industrial (IG) or Urban Reserve (UR) Land Use District, no barbed wire shall be permitted below a height of 1.8 m (6 ft). This requirement may be varied by the *Development Officer* in an area where residences would not be in close proximity to the proposed *fence*.
- 4.7.6 The electrification of *fences* is not permitted.

4.7.7 Barbed wire **fences** are not permitted in residential Land Use Districts or the Primary Commercial (CP) or Highway Commercial (CH) Land Use Districts.

4.8 Landscaping

4.8.1 Any portion of a **lot/site area** not occupied by **buildings**, parking, storage, or required for vehicle circulation shall be landscaped or be left in its natural state. **Landscaping** may consist of hard **landscaping**, soft **landscaping**, or some combination thereof.

4.8.2 Any area requiring **landscaping** or topographic reconstruction shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining **site**.

4.8.3 In lieu of a **fence** in accordance with **Section 4.7.4**, if a proposed commercial or industrial **development** is **abutting** a residential Land Use District, a landscaped **buffer** of a minimum 3 m (10 ft) in width shall be provided consisting of:

- (a) A mix of deciduous and coniferous trees with at least sixty percent (60%) of these trees being coniferous;
- (b) Trees that are a minimum of 1.8 m (6 ft) in height at the time of planting and a minimum of 6.1 m (20 ft) high at maturity; and
- (c) Shrubs that are a minimum of 1.8 m (6 ft) high at maturity.

4.8.4 All **landscaping** and planting required must be carried out to the satisfaction of the **Development Officer** within one (1) year (weather permitting) of **occupancy** or commencement of operation of the proposed **development**.

4.9 Lighting

4.9.1 Any lighting proposed to illuminate areas in any district shall be located and designed to the satisfaction of the **Development Officer** so that all direct light is focused on the area to be illuminated and not on any **adjacent** properties or **roads**.

4.10 Lot/Site Coverage

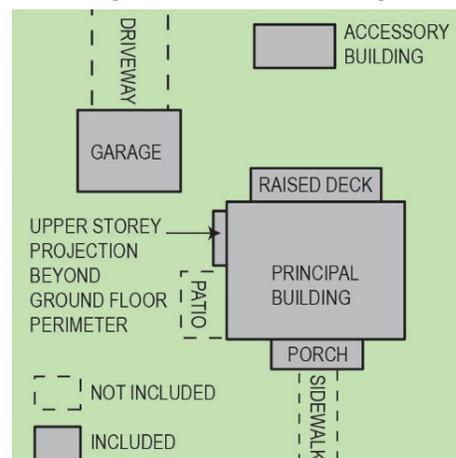
4.10.1 **Lot/site coverage** shall be calculated as a percentage by dividing the total amount of **building** footprint on a **lot/site** by the total **lot/site area**.

4.10.2 For the purposes of calculating **lot/site coverage**, the **building** footprint shall include:

- (a) The **principal building**;
- (b) **Accessory buildings** or **carports**;
- (c) **Porches** or verandas;
- (d) Any portion of an upper **storey** that projects beyond the perimeter of the main **floor area**; and
- (e) Raised **decks** (**Figure 4.5**).

4.10.3 For the purposes of calculating **lot/site coverage**, the **building** footprint shall not include **hard surfaced** areas such as patios and **driveways**.

Figure 4.5: Lot/Site Coverage



4.11 Objects Prohibited In Districts

4.11.1 No person shall be allowed to keep or maintain:

- (a) A dismantled or derelict vehicle on a *site* in a residential Land Use District for more than fourteen (14) consecutive days;
- (b) Any *excavation, building*, or storage of material upon a *site* during the construction stage of any *development* unless all safety requirements are complied with and the *registered owner* and *developer* of any such *site* shall assume full responsibility for on-site safety measures; and
- (c) Any *excavation*, equipment, or construction materials to remain on a *site* over a period longer than is reasonably necessary to complete construction.

4.12 Parking and Loading Facilities

4.12.1 Off-street parking shall be provided in accordance with **Table 4.1** and any accessibility requirements under the *Safety Codes Act*.

Table 4.1: Parking Requirements

Land Use		Minimum Requirement
Residential	<i>Multi-Unit Dwelling</i> Studio Unit 1 Bedroom Unit 2 Bedroom Unit 3+ Bedroom Unit Visitor Parking	1 stall per unit 1 stalls per unit 1.5 stalls per unit 2 stalls per unit 1 stall per 10 units
	<i>Secondary Suite</i>	1 stall in addition to principal dwelling requirement
	<i>Single Detached Dwelling, Manufactured Home, Accessory Dwelling</i>	2 stalls
	<i>Duplex</i>	2 stalls per unit
	<i>Residential Care Facility</i>	1 stall per employee plus 1 visitor stall per 3 units
	<i>Manufactured Home Community</i>	2 stalls per <i>dwelling site</i> plus 1 stall for visitor parking per 4 <i>sites</i>
Commercial	<i>Professional Services, Personal Services, Bakery, Dealership</i>	1 stall per 46 m ² (500 ft ²) of <i>GFA</i> (<i>gross floor area</i>)
	<i>Amusement Facility, Financial Services, Child Care Facility, Cannabis Retail Sales, Retail Store, Medical Clinic, Veterinary Clinic</i>	1.5 stall per 46 m ² (500 ft ²) of <i>GFA</i>
	<i>Restaurant, Drinking Establishment</i>	1 stall per 4 seats

Land Use		Minimum Requirement
	<i>Motel, Hotel</i>	1 stall per guest unit plus 1 stall per 2 employees. Where a <i>hotel</i> and/or <i>restaurant</i> and/or <i>drinking establishment</i> are grouped in any combination on a <i>site</i> , the required number of parking spaces may be reduced to the discretion of the <i>Development Officer</i> to 75% of the combined total of all specific <i>uses</i> .
	<i>Car and Truck Wash</i>	0.75 stall per employee on a maximum working shift.
	<i>Mini Storage</i>	1 stall per 92 m ² (10,000 ft ²) of <i>GFA</i> or 1 stall per 70 storage units
	<i>Recreation, Indoor</i>	1.5 stall per 46 m ² (500 ft ²) of <i>GFA</i>
	<i>Automotive and Equipment Repair, Auto Body and Paint Shop</i>	1 stall per 56 m ² (600 ft ²) of <i>GFA</i>
	<i>Bulk Fuel, Chemical or Cardlock</i>	1 stall per fuelling position for large vehicle parking (tractor trailer unit).
	<i>Building Supplies</i>	1 stall per 158 m ² (1,700 ft ²) of <i>GFA</i>
	<i>Service Station, Gas Bar</i>	0.75 stall per fuelling position or 1.5 stalls per 46 m ² (500 ft ²) of <i>GFA</i> , whichever is greater
Public Uses	<i>Community Hall or Facility, Private Club or Lodge</i>	1 stall per 3.5 seats or 1 stall per 3 m ² (32 ft ²) of <i>floor area</i> used by patrons, whichever is greater.
	<i>Arena</i>	60 stalls per ice surface.

Land Use		Minimum Requirement
	<i>Curling Rink</i>	8 parking stalls per sheet, plus 1 stall per staff member (peak on shift)
	<i>Religious Assembly</i>	1 stall per 5 seating spaces
	<i>Emergency Services</i>	As required by the Development Officer.
	<i>Museum</i>	1 stall per 100 m ² (1,075 ft ²) of <i>GFA</i>
	Elementary <i>School</i> Junior/Senior High <i>School</i>	1 stall per classroom 2 stalls per classroom
Industrial	<i>Agricultural Industry, Cannabis Production Facility, General Industrial Use, Light Manufacturing Industry, General Contractor, Limited Contractor, Greenhouse, Public Utility, Truck and Rail Transload Facility, Truck Terminal, Warehouse</i>	1 stall per employee on a maximum working shift.
All Other Uses		1 stall per 37 m ² (400 ft ²) of <i>GFA</i>

4.12.2 When a *building* is enlarged, altered or changed in *use*, in such a manner as to cause an intensification of the *use* of that *building*, provision shall be made for the additional *parking stalls* required. The required parking shall be based only on the number of additional *parking stalls* required due to the enlargement, change in *use*, or intensification of the *use* of the *building*.

4.12.3 *Parking stalls* shall be located on the same *site* as the *building* or *use* for which it is required and shall be designed, located and constructed so that:

- It is reasonably accessible to the vehicles intended to be accommodated there;
- It can be properly maintained; and
- It is satisfactory to the *Development Officer* in size, shape, location and construction.

4.12.4 Off-Site Parking

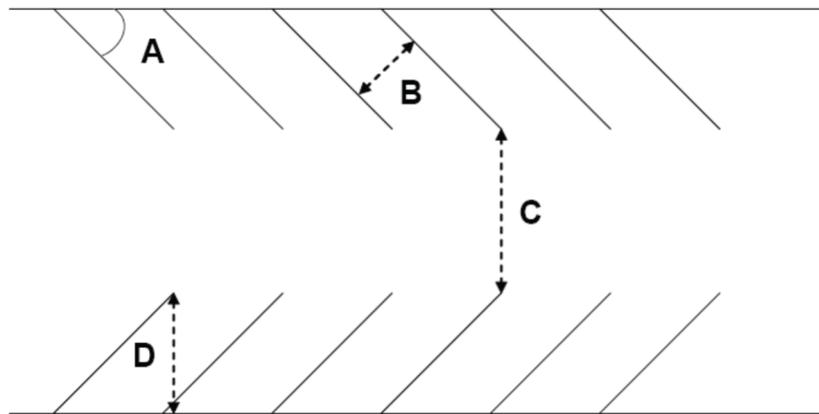
- Notwithstanding **Section 4.12.3** and excluding residential Land Use Districts, the *Development Officer* may allow for the required number of *parking stalls* to provide the required off-street parking on land other than the *development site* provided that
 - The proposed parking is located and developed to the satisfaction of the *Development Officer*, and
 - The continued use of the proposed *parking lot* is secured through a lease, registered by caveat on the alternate *site*.
- Developments* located in the Primary Commercial (C-1) District that are unable to meet the required number of on-site *parking stalls* may be permitted to provide cash-in-lieu of parking, the money to be paid to the *Town* and allocated to the *development* of public *parking lots* in the downtown area. The cash amount will be based on the market value of the subject land and *development* costs.

4.12.5 **Parking stalls** shall meet the minimum requirements outlined in **Table 4.2** and **Figure 4.6**.

Table 4.2: Parking Stall Dimensions

Angle of Parking A	Width of Stall B	Width of Aisle C	Depth of Stall Perpendicular to Aisle D
30	2.5 m for residential <i>use</i> 2.7 m for other <i>uses</i>	3.5 m	5.1 m
45		3.7 m	6.0 m
60		5.5 m	6.4 m
90		7.0 m	6.0 m
Parallel		3.5 m	7.0 m stall length

Figure 4.6: Parking Stall Dimensions



4.12.6 All **loading spaces** shall be a minimum of:

- 28 m² (300 ft²) in area,
- 3.5 m (11.5 ft) in width, and
- 4 m (13 ft) of overhead clearance.

4.12.7 All required **parking stalls** or **loading spaces** shall be developed and surfaced to the satisfaction of the **Development Officer** within twelve (12) months of the completion of the approved **development**.

4.12.8 All on-site **parking stalls** provided or required for a **development** in a commercial Land Use District, and the access thereto, including the area contained within the **road** right-of-way to which the curb crossing applies, shall be **hard surfaced** if the access thereto is from a **road** or **lane** that is **hard surfaced**.

4.12.9 Adequate curbs, pre-cast barrier curbs, or **fences** shall be provided to the satisfaction of the **Development Officer** where it is deemed necessary in order to protect **adjacent fences**, walls, **boulevards**, landscaped areas, or **buildings** from contact with vehicles.

4.12.10 Parking shall be provided in the manner shown on the approved **site plan** with the entire area to be graded so as to ensure that drainage will be disposed of in a manner satisfactory to the **Development Officer**.

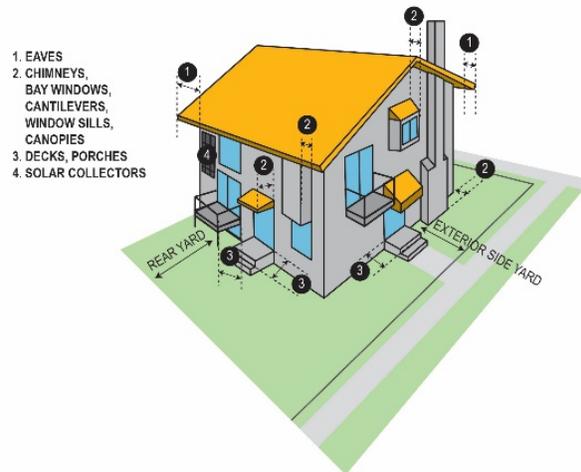
- 4.12.11 For all commercial, public and recreational *uses*, a portion of the parking area nearest the *principal building* shall be designated as barrier free in accordance with the *Alberta Building Code Barrier-Free Design Guide*.

4.13 Permitted Encroachments

- 4.13.1 The portions of and attachments to a *principal building* or *accessory building* that may project over or on a *yard* are:

- On a *site* in a residential Land Use District, a cornice, sill, a *canopy* or eaves that project for a distance not exceeding one-half of the minimum *side yard* required for the *lot*;
- A chimney which projects 0.6 m (2 ft) or less provided that in each case it is not less than 0.9 m (3 ft) from the side boundary of the *site*;
- Unenclosed steps with or without a landing and above the surface to the *yard* if they do not project more than 2.4 m (8 ft) over or on a minimum *front yard* or *rear yard*;
- Solar collectors* that are mounted on the side of a *building* (**Figure 4.7**).

Figure 4.7: Permitted Encroachments



4.14 Relocation of Buildings

- 4.14.1 Where a *development permit* has been granted for the relocation of a residential *building* on the same *site* or from another *site*, the *Development Officer* may require the applicant to provide:

- A performance security of such amount to ensure completion of any renovations set out as a condition of approval of a *development permit*; and/or
- An engineer's certificate to confirm that the *building* is structurally sound.

- 4.14.2 Renovations shall be completed within one (1) year of the issuance of a *development permit*.

- 4.14.3 Costs for damages and repair to municipal infrastructure arising from or caused by relocation shall be the responsibility of the applicant and/or *developer* and shall be paid to the *Town* on demand.

4.15 Removal of Topsoil and Site Grading

- 4.15.1 Stripping, excavating or grading of land that is required solely for the *development* of a *site* may only occur after a *development permit* has been approved for the proposed *development* on that *site*.

- 4.15.2 For the purpose of this section, stripping and grading refers to those activities required for construction or *building* purposes.
- 4.15.3 Notwithstanding **Section 4.15.2**, the removal of *topsoil* from agricultural lands shall only be permitted if required in order to prepare the subject land for an approved *development*. If top soil is proposed to be removed for any other purpose, such activity shall require a *development permit*.
- 4.15.4 No drainage measures undertaken as part of a *development* shall negatively impact *adjacent* lots by way of flooding or inundation through the redirection of surface water. In the event that a *development* is found to affect neighbouring lands, all required mitigation measures required to remedy the problem including drainage *structures*, drainage *easements*, and retaining walls, shall be at the *developer's* sole expense.
- 4.15.5 The *Development Officer* may require the applicant to submit a grading plan in support of a *development permit* application.

4.16 Transportation

A Roadside Development Permit shall be required from Alberta Transportation pursuant to the *Highway Development and Protection Act* and the *Highway Development and Protection Regulation*, and amendments thereto, for all *developments* occurring within 300 m (984 ft) of a *highway* right-of-way boundary, or within 0.8 km (0.5 mi) of an intersection of a *highway* with a municipal *road*.

SECTION 5 SPECIAL REGULATIONS

5.1 Accessory Buildings

- 5.1.1 For the purpose of calculating *yard setbacks* and *lot/site coverage* requirements as provided for in this bylaw, when an *accessory building* is attached to the *principal building* on a *site* by a roof, an open or enclosed *structure*, a floor, or a foundation, it is to be considered a part of the *principal building* and not as an *accessory building*.
- 5.1.2 An *accessory building* shall be located at least 1.8 m (6 ft) from any *principal building*.
- 5.1.3 Unless otherwise permitted in this bylaw, an *accessory building* located on a *lot* in a residential Land Use District shall not be used as a *dwelling unit*.
- 5.1.4 In a residential Land Use District, no *accessory building* or *use* shall be located in the *front yard* or *exterior side yard* of any *principal building*.
- 5.1.5 Notwithstanding **Section 5.1.4**, where access to a *rear yard* is obtained via a developed *lane*, an *accessory building* used as a *garage* shall have a minimum *rear yard setback* of 6.1 m (20 ft) where the vehicle entrance faces the *lane*.
- 5.1.6 Notwithstanding **Section 5.1.4**, an *accessory building* may be constructed to the *lot line* provided that it shares a common wall with an *accessory building* on the *adjacent lot* or if a fire rated wall meeting the requirements of the *Alberta Building Code* is provided. There will be no overhang of eaves and all drainage is confined to the *site*.
- 5.1.7 Notwithstanding any other provision of this bylaw, an *accessory building* shall not exceed the height of the *principal building* in a residential Land Use District.
- 5.1.8 *Accessory buildings* should be compatible in design with the *principal building* and of a quality that is to the satisfaction of the *Development Officer*.

5.2 Bed and Breakfast

- 5.2.1 A *bed and breakfast* shall only be developed within a *single detached dwelling*.
- 5.2.2 A *bed and breakfast* shall not be developed within the same dwelling containing a *home based business* or a *secondary suite*.
- 5.2.3 Interior or exterior alterations and additions or renovations to permit a *single detached dwelling* to be used as a *bed and breakfast* may be allowed if such alterations, additions, or renovations comply with the *Safety Codes Act*.
- 5.2.4 The operator of the *bed and breakfast* shall be a permanent resident of the dwelling in which it is located.
- 5.2.5 One (1) on-site *parking stall* for each guest room shall be provided in addition to any other parking stalls required to serve the *principal building*.
- 5.2.6 One (1) unlit *sign* with a maximum size of 900 cm² (140 in²) shall be permitted to advertise the *bed and breakfast*.

5.3 Cannabis Retail Sales

- 5.3.1 The *registered owner* or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or municipal legislation.
- 5.3.2 *Cannabis retail sales* shall not be located within 100 m (328 ft) from a private or public *school* and playground.
- 5.3.3 The separation distance between *uses* shall be measured from *lot line* to *lot line*.
- 5.3.4 The *development* shall not operate in conjunction with another approved *use*.
- 5.3.5 Customer access to the *cannabis retail sales use* is limited to a store front that is visible from the *road*.
- 5.3.6 No customer parking shall be located at the rear of the *cannabis retail sales building*.
- 5.3.7 All parking areas in front of the *building* shall be well lit to the satisfaction of the *Development Officer* during operating hours.
- 5.3.8 All loading or receiving areas shall be well lit to the satisfaction of the *Development Officer*.

5.4 Cannabis Production Facility

- 5.4.1 The *registered owner* or applicant must provide as a condition of *development* a copy of the current licence for all activities associated with *cannabis* production as issued by the Federal Government.
- 5.4.2 The *registered owner* or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or municipal legislation.
- 5.4.3 The *development* must be done in a manner where all the processes and functions are fully enclosed within a stand-alone *building* including all loading stalls and docks, and garbage containers and waste material.
- 5.4.4 The *development* shall not include an outdoor area for storage of goods, materials or supplies.
- 5.4.5 The *development* shall not operate in conjunction with another approved *use*.
- 5.4.6 The *development* must include equipment designed and intended to remove odours from the air where it is discharged from the *building* as part of a ventilation system.
- 5.4.7 The *Development Officer* may require, as a condition of a *development permit*, a waste management plan, completed by a qualified professional, which includes but is not limited to, details on:
 - (a) The incineration of waste products and airborne emissions, including smell;

- (b) The quantity and characteristics of liquid and waste material discharged by the facility; and
- (c) The method and location of collection and disposal of collection and disposal of liquid and waste material discharged by the facility.

5.5 Car and Truck Washes

The minimum *lot/site area* shall be 743 m² (8,000 ft²) and shall contain parking space for six (6) vehicles prior to their entry into any part of the cleaning process. In the case of service stations that have *car and truck washes* installed, the minimum *lot/site area* shall be 1,115 m² (12,000 ft²).

5.6 Child Care Facilities

A *child care facility* shall comply with the provisions of the *Child Care Licensing Act* and the *Child Care Licensing Regulation* concerning *site* requirements, *development* standards and licensing.

5.7 Communication Towers and Antenna Systems

Note: Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location and height of radio communication facilities, including radio, television and microwave transmission facilities. In making its decision regarding transmission, communication and related facilities, Industry Canada considers the following:

- The input provided by the *Town*;
- Compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
- Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
- An environmental assessment may be required in order to comply with the federal Environmental Assessment Act.

5.7.1 No person shall *construct* or cause to be constructed a *communication tower or antenna system* unless a *development permit* has first been issued in accordance with this Bylaw.

5.7.2 The *Development Officer* shall submit a letter of concurrence to Industry Canada upon completion of a processed application detailing:

- (a) Its opinion as to whether the location of a new telecommunications facility is appropriate from the *Town's* land use perspective;
- (b) Whether or not, in the *Town's* opinion, adequate public consultation has been conducted by the carrier; and
- (c) The degree to which the carrier has met the regulations in this section as they relate to location, design and visual impact.

5.8 Decks

5.8.1 A *deck* may encroach up to 1.5 m (5 ft) into a required *front yard setback* provided that the *deck* is uncovered and unenclosed by walls, lattice or other similar material.

- 5.8.2 *Decks* that are covered and/or enclosed from above shall be considered an addition to the *principal building*. A covered and/or enclosed *deck* is required to meet the district requirements for the *principal building* and is included in the *lot/site coverage* calculation.
- 5.8.3 *Decks* that are attached to a side-side *duplex* dwelling or a *multi-unit dwelling* may extend to the common *lot line* between units if the *deck* is provided with a privacy wall.
- 5.8.4 At the discretion of the *Development Officer*, a *deck* may encroach into any required *yard* where the *deck* is designed to accommodate access to a dwelling for a person with a mobility disability.
- 5.8.5 A ground level *deck* may be built within 15 cm (0.5 ft) of an *interior side lot line* and up to a *rear lot line*.
- 5.8.6 A raised *deck* shall be set back a minimum of 1.5 m (5 ft) from an *interior side lot line* and 4.6 m (15 ft) from a *rear lot line*.

5.9 Drive-Through Businesses

- 5.9.1 Notwithstanding the applicable district regulations, *drive-through businesses* shall not be located on a *site* that in the opinion of the *Development Officer* would be considered unsafe in terms of vehicle circulation, access and egress.
- 5.9.2 Exits and entrances shall be as approved by the *Development Officer* and circulation within the *lots* shall be one-directional and adequately signed.
- 5.9.3 Where a *drive-through business* is *abutting* a residential Land Use District, *screening* shall be provided to the satisfaction of the *Development Officer*.

5.10 Home Based Business

- 5.10.1 *Home based businesses* shall be limited to those *uses* which do not interfere with the rights of other residents to the quiet enjoyment of a residential neighbourhood and shall not create a nuisance by way of dust, noise, smell, smoke or traffic generation.
- 5.10.2 *Home based businesses* shall be evaluated in accordance with the requirements outlined in Table 5.1.
- 5.10.3 *Home based businesses* are limited to those *uses* which are approved by the *Development Officer*.

Table 5.1: Home Based Business Development Requirements

(a) Location	Shall be an incidental and subordinate use to the principal residential <i>use</i> and shall be restricted to the <i>dwelling</i> .
(b) Exterior Storage	None.
(c) Commercial Vehicles	None larger than a pickup or cargo van on site.
(d) Employees	None other than the resident and members of the resident's family who permanently reside in the <i>dwelling</i> .
(e) Size	Limited to 30 m ² (323 ft ²).
(f) Signage	No display of commercial advertising, wares or products discernible from the outside of the <i>building</i> but may display an unlit <i>sign</i> that is a maximum of 900 cm ² (140 in ²).
(g) Alterations to <i>Building</i>	No alterations to <i>principal building</i> unless approved by the <i>Development Officer</i> as part of a development permit application.

5.10.4 *Home based businesses* involving such activities as *personal services*, food preparation (including bottling of water), *child care facilities*, and *bed and breakfasts* are required to conform to the standards administered by the local Health Authority, and to obtain all necessary licenses required under the applicable legislation.

5.10.5 An application for a *development permit* for a *home based business* shall include:

- (a) A description of the business to be undertaken at the premises;
- (b) An indication of the number of business visits per week;
- (c) Details for the provision of parking; and
- (d) Where any materials or equipment associated with the business *use* are to be stored.

5.10.6 A *development permit* for a *home based business* may be issued on a *temporary* basis and may be subject to annual review/reissuance.

5.11 Manufactured Homes

5.11.1 *Manufactured homes*, accessory *structures*, additions, *porches* and skirting shall be of sound construction and appearance to the satisfaction of the *Development Officer*.

5.11.2 Notwithstanding **Section 5.11.1**, *manufactured homes* will not be permitted if greater than ten (10) years old at the time of application, unless the subject manufactured home is being relocated between lots within the Town.

5.11.3 The undercarriage of a *manufactured home* shall be completely screened from view by a fireproof skirting or such other means acceptable to the *Development Officer* within thirty (30 days) of placement.

5.11.4 Axles, wheels, running gear and towing tongue shall be removed from a *manufactured home* within thirty (30) days of placement.

5.11.5 **Manufactured homes** shall be attached to a permanent foundation in accordance with the requirements of the *Alberta Building Code*.

5.12 Religious Assembly

5.12.1 **Religious assembly** shall be evaluated in accordance with the requirements outlined in Table 5.2.

Table 5.2: Religious Assembly Development Requirements

(a) Lot/Site Width (minimum):	30 m (98.5 ft)
(b) Lot/Site Area (minimum):	929 m ² (10,000 ft ²).
(c) Setbacks (minimum):	Consistent with those of other developments in the Land Use District.
(d) Building Height (maximum):	15 m (50 ft)

5.12.2 In the case where a manse, rectory, parsonage or other **building** for a minister's residence is to be erected on the same **site** as the church, the combined area of the **site** shall not be less than 1,390 m² (14,962 ft²).

5.13 Satellite Dish Antennas

5.13.1 Unless attached to a **principal building** or **structure**, a **satellite dish antenna** shall conform to the **site** requirements for **accessory buildings**.

5.13.2 The **satellite dish antenna** shall be located on the same **site** as the intended signal user.

5.13.3 **Section 5.13.1** and **Section 5.13.2** may be waived where the applicant can demonstrate, to the satisfaction of the **Development Officer**, that compliance would prevent signal reception.

5.13.4 If a signal cannot be received in a location other than a **front yard**, the minimum **front yard setback** shall be 3.3 m (10 ft).

5.14 Secondary Suites

5.14.1 A **secondary suite** may be developed only in a **single detached dwelling** and only where listed as a **Permitted Use** or **Discretionary Use**.

5.14.2 **Secondary suites** shall be evaluated in accordance with the requirements outlined in Table 5.3.

5.14.3 A **secondary suite** shall not be allowed in an **accessory building**.

5.14.4 A separate entrance door shall be required for a **secondary suite** but shall not be located on any front **building** elevation facing a **road**. Notwithstanding this requirement, however, a single-entry door providing access to an enclosed, shared entry area may be provided.

Table 5.3: Secondary Suite Development Requirements

(a) Number	A maximum of one (1) per <i>single detached dwelling</i> .
(b) Size of Suite	Shall not exceed 40% of the total <i>floor area</i> of the <i>principal building</i> , including upper floors and <i>basement</i> combined, or 90 m ² (969 ft ²), whichever is less, and shall not be smaller than 38 m ² (409 ft ²).
(c) Parking	One (1) on-site stall per <i>secondary suite</i> for the exclusive use of the occupant of the <i>secondary suite</i> , in addition to any other <i>parking stalls</i> required to serve the <i>principal building</i> .

5.14.5 The number of secondary suites is limited to a maximum of three (3) within a 50 m (165 ft) radius surrounding and including the site of a proposed secondary suite. In addition, no more than two (2) single detached dwellings containing secondary suites will be allowed in a row.

5.15 Service Stations and Gas Bars

5.15.1 *Service stations* or *gas bars* shall be evaluated in accordance with the requirements outlined in Table 5.4.

Table 5.4: Service Station/Gas Bar Development Requirements

(a) <i>Lot/Site Area</i> (minimum):	557 m ² (5,995 ft ²).
(b) <i>Lot/Site Coverage</i> (maximum):	15%. Where a <i>service station</i> or <i>gas bar</i> forms part of a larger commercial development, the minimum <i>lot/site area</i> and maximum <i>lot/site coverage</i> may be varied at the discretion of the <i>Development Officer</i> .

5.15.2 Where a *gas bar* or *service station* is proposed to include a *retail store*, and/or a *car and truck wash*, the *Development Officer* shall ensure that the location of parking and circulation area does not interfere with the free movement of refuelling vehicles.

5.15.3 All parts of the *site* to which vehicles have access shall be *hard surfaced* and drained to the satisfaction of the *Development Officer*.

5.15.4 No activity shall be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the *site* by reason of dust, noises, gases, odours, smoke, or vibration.

5.15.5 *Landscaping* shall be provided and maintained to the satisfaction of the *Development Officer*.

5.15.6 *Fencing* or *screening* to the satisfaction of the *Development Officer* shall be provided along the *lot line* separating a *service station* or *gas bar* from any *abutting* residential Land Use Districts.

5.16 Signs

- 5.16.1 Except where provided for in **Section 6.2**, no *directional sign* or *sign* of an advertising, directional or information nature shall be erected on land or affixed to any exterior surface of any *building* or *structure* unless an application for this purpose has been approved by the *Development Officer*.
- 5.16.2 In considering a *development* application for a *sign* the *Development Officer* shall have due regard to the amenities of the area and the design of the proposed *sign*. In applying for a *development permit* for a *sign*, the applicant shall provide complete *sign* details (i.e. size, colour, layout, construction materials, location, etc.).
- 5.16.3 No *sign*, other than one providing a public service and deemed appropriate by the *Development Officer*, shall be permitted to locate within a *boulevard*, *road* right-of-way or on municipal reserve lands.
- 5.16.4 No *sign* shall be approved if, in the opinion of the *Development Officer*, the *sign*:
- (a) Displays an intermittent, flashing or rotating light or lights or has rotating or moving parts;
 - (b) Unduly interferes with the amenities of the area;
 - (c) Materially interferes with or affect the use, enjoyment or values of neighbouring properties;
 - (d) Creates a safety hazard; or
 - (e) Displays lighting of an intensity and colour that may interfere with or be confused with an authorized traffic *sign* or traffic control device.
- 5.16.5 There shall be a minimum clearance height of 2.5 m (8 ft) above *average finished grade* to the bottom of any *sign* projecting over a public right-of-way or sidewalk.
- 5.16.6 No *sign* shall project more than 1.5 m (5 ft) above the top of any main wall or parapet to which it is affixed, unless in the opinion of the *Development Officer* it is has been designed as an integral part of the *building*.
- 5.16.7 No *sign* shall project more than 1.5 m (5 ft) from the face of any *building* to which it is affixed, unless in the opinion of the *Development Officer* it is has been designed as an integral part of the *building*.
- 5.16.8 *Freestanding signs* shall be set back a minimum of 1 m (3 ft) from a *lot line*.
- 5.16.9 The *Development Officer* may refuse to allow any *sign* which is deemed to be offensive in nature or inappropriate in design.
- 5.16.10 All *signs* shall be kept in good repair and maintained in a manner satisfactory to the *Development Officer*.
- 5.16.11 The *Development Officer* may require the removal of any permanent *sign* that is or has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- 5.16.12 Any *sign*, notice or advertising device shall require approval from Alberta Transportation if it is erected within
- (a) The limits of the right-of-way of a *highway*;

- (b) 305 m (1,000 ft) from a right-of-way limit of a *highway*; or
- (c) 800 m (0.5 mi) of the centre point of the intersection of a *highway* with another *highway* or a public *road*.

5.17 Solar Collectors

- 5.17.1 *Solar collectors* may be affixed to a *building* or *structure* wall, mounted to the roof of a *building* or *structure*, or mounted to the ground as a freestanding *structure*. The maximum number of *solar collectors* per *lot* and location shall be at the discretion of the *Development Officer*.
- 5.17.2 *Solar collectors* must be located such that they do not create undue glare on neighbouring *parcels* or public *roads*.
- 5.17.3 *Solar collectors* mounted to the roof of a *building* or *structure* must not extend beyond the outermost edge of the roof.
- 5.17.4 The maximum projection of *solar collectors* affixed to the wall of a *building* or *structure* in a residential Land Use District shall be:
 - (a) 1.5 m (5 ft) from the surface of a wall that faces a *rear lot line*; and
 - (b) In all other cases, 0.6 m (2 ft) from the surface of that wall.
- 5.17.5 Freestanding *solar collectors* shall be subject to the *setback* requirements for *accessory buildings*.
- 5.17.6 The maximum height of a freestanding *solar collector* shall not exceed 2.4 m (8 ft).

5.18 Solar Energy Facilities

- 5.18.1 The applicant shall obtain and demonstrate compliance with all relevant Alberta Utilities Commission and other provincial and federal permits, approvals and licenses.
- 5.18.2 An environmental impact assessment may be required by the *Development Officer*.
- 5.18.3 The *Development Officer* may require *landscaping* in addition to the regulations described in **Section 4.8**.
- 5.18.4 The *Development Officer*, at its discretion, may require the *development permit* application to include a proposal for the reclamation of the *lot*, prepared by a qualified professional, and other documentation or studies in support of the application.

5.19 Temporary Storage

- 5.19.1 *Sea-cans* shall not be located:
 - (a) On a *lot* in a residential Land Use District, or
 - (b) In the *front yard* of a *lot* in any other Land Use District;
- 5.19.2 *Sea-cans* shall not be stacked one upon the other.
- 5.19.3 *Sea-cans* shall be screened from public view to the satisfaction of the *Development Officer* and shall be painted or finished to match the *principal building* on the subject *lot*.

5.19.4 A *temporary structure* being used as a *garage* shall not be located in the *front yard* of a *lot* or *site* in a residential Land Use District.

5.20 Wind Energy Conversion Systems (WECS), Small Scale

5.20.1 A *development permit* application for a Small Scale WCES shall meet or exceed all provincial and federal regulations and shall include the manufacturer's specifications indicating:

- (a) The *WECS* rated output in kilowatts;
- (b) Safety features and sound characteristics;
- (c) Type of material used in tower, blade, and/or construction;
- (d) Turbine height;
- (e) Blade diameter and rotor clearance;
- (f) Canadian Standards Association approval, if applicable;
- (g) Potential for electromagnetic interference;
- (h) Nature and function of over speed controls that are provided;
- (i) Specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;
- (j) Information demonstrating that the system will be used primarily to generate on-site electricity;
- (k) Location of existing *buildings* or improvements; and
- (l) An analysis for noise to any residences located within a 200 m (656 ft) radius of the proposed *WECS*.

5.20.2 Prior to making a decision on a *development* application for a Small Scale *WECS*, the *Development Officer* may refer and consider the input of any authorities having jurisdiction and any applicable legislation.

5.20.3 Notwithstanding the maximum height provisions applicable to a *site*, the total height of a Small Scale WCES may exceed the maximum *building height* of a District by a maximum of 1.8 m (6 ft).

5.20.4 The blade clearance of a Small Scale WCES shall be a minimum of 4.6 m (15 ft) above *grade*.

5.20.5 A Small Scale *WECS* shall meet the *setback* requirements of the Land Use District in which it is to be located.

5.20.6 Notwithstanding **Section 5.20.5**, a Small Scale *WECS* shall be set back from any *lot line* a minimum distance equal to the height of the *structure*.

5.20.7 The maximum diameter of the blades shall be 3 m (10 ft).

5.20.8 A maximum of one (1) Small Scale *WECS* shall be allowed on a *lot*.

5.20.9 A Small Scale WCES shall comply with the following:

- (a) The system shall be equipped with manual and automatic over speed controls;
- (b) The conformance rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or electrical engineer.

SECTION 6 ADMINISTRATIVE PROVISIONS

6.1 Development Permits Required

Except as provided in **Section 6.2**, no person shall undertake any *development* unless:

- (a) A *development permit* has first been issued pursuant to this bylaw; and
- (b) It is in accordance with the terms and conditions of a *development permit* issued pursuant to this bylaw.

6.2 Development Permits Not Required

A *development permit* is not required for the following *developments*, provided they otherwise comply with the provisions of this bylaw:

- (a) Works of maintenance, repair or renovation on a *structure*, both internal and external, if in the opinion of the *Development Officer*, such work:
 - (i) Does not include *structural alterations*,
 - (ii) Does not change the *use* or intensity of the *use* of the *structure*, and
 - (iii) Is performed in accordance with obligatory legislation or other government regulations;
- (b) A change in the business or the *occupancy* of a *building* which, in the opinion of the *Development Officer*, does not constitute a change in the type of *use* of the *site*;
- (c) The completion of a *building* which is lawfully under construction at the date this bylaw comes into full force and effect, provided that:
 - (i) The *building* is completed in accordance with the terms of any permit granted by the *Town*, and
 - (ii) The *building* is completed within a period of twelve (12) months from the date this bylaw comes into effect;
- (d) The erection, construction, or maintenance of gates, *fences*, walls or other means of enclosure less than 2 m (6.5 ft) in height provided that it does not contravene any other provision of this bylaw;
- (e) The erection or installation of machinery needed in connection with operations for which a *development permit* has been issued, for the period of those operations;
- (f) The construction and maintenance of that part of a *public utility* or *public use* placed in or upon a *road* right-of-way, *boulevard*, *public utility lot* or *easement*;
- (g) The *use* of land of which the *Town* is the legal or equitable *registered owner* for a purpose approved by a two-thirds majority vote of *Council* in connection with any *public utility* or *public use*;
- (h) The *use* of a *building* or part thereof as a *temporary* polling station for a federal, provincial or municipal election or referendum;
- (i) An official notice, *sign*, placard, or bulletin required to be displayed pursuant to the provisions of federal, provincial, or municipal legislation;
- (j) One (1) *temporary*, on-site *sign* which does not exceed 1 m² (11 ft²) in area nor 1.2 m (3.9 ft) in height and is intended for:
 - (i) Advertising the sale or lease of a *dwelling unit*, or property, or
 - (ii) Identifying a construction or demolition project for which a *development permit* has been issued, or
 - (iii) Identifying a political or charitable campaign, or
 - (iv) Advertising a campaign or drive which has been approved by *Council*;
- (k) Commemorative plaques and cornerstones of a non-advertising nature;
- (l) The construction, maintenance and repair of private walkways, private pathways, private *driveways*, and similar works;

- (m) The stripping or stockpiling of soil, installation of utilities and construction of **roads** in accordance with a current, signed **development** agreement;
- (n) One (1) **accessory building** that does not exceed 9 m² (97 ft²) in area and that is accessory to a **Permitted Use** in a residential Land Use District;
- (o) **Satellite dish antennas** that are less than 0.9 m (3 ft) in diameter;
- (p) A **temporary building**, the sole purpose of which is incidental to the erection or alteration of a permanent **building**, for which a **development permit** has been issued;
- (q) Public projects undertaken by government authorities including the construction of **roads**, bridges, drainage ditches, public utilities, **parks** and the erection of **signs**;
- (r) The continued agricultural **use** of a **parcel** that is assessed as farmland and used for extensive agricultural operations;
- (s) Low level **decks**; and
- (t) A **sea-can** located on a **lot** in the Highway Commercial (CH) or General Industrial (IG) Land Use Districts.

6.3 Forms

The forms required to administer the provisions of this bylaw are contained in **Schedule B**. The forms contained in **Schedule B** may be revised or replaced at the discretion of the **Town** without an amendment to this bylaw.

6.4 Development Permit Applications

- 6.4.1 An application for a **development permit** shall be made to the **Development Officer** in writing, on the prescribed form, and shall be signed by the **registered owner**, applicant or his authorized agent. In the event that the **registered owner** is not the applicant for a **development permit**, then consent of the **registered owner** shall be required.
- 6.4.2 The **Development Officer** may require any or all of the following information as part of the **development permit** application:
 - (a) A completed application form;
 - (b) A statement describing the proposed **use** of the **site**;
 - (c) The estimated commencement and completion dates;
 - (d) The estimated cost of the project or contract price;
 - (e) Building plans showing floor plans, elevations, and exterior finishing;
 - (f) **Site plans** showing:
 - (i) The legal description and municipal address of the **site**,
 - (ii) Dimensions of the **site**,
 - (iii) Utilities, **site** drainage, **grade** elevations, existing and finished **lot grades**, the **grades** of the streets and the location of proposed sewer and water lines,
 - (iv) The height, dimensions, and relationship to property lines of all existing and proposed **buildings** and **structures** including retaining walls, trees, **landscaping** and location of **fencing**,
 - (g) In addition to the above, on applications for multiple unit dwellings, commercial, industrial, recreational, or institutional **uses**:
 - (i) Loading and parking provisions,
 - (ii) Access locations to and from the **site**,
 - (iii) Garbage and storage areas and the **fencing** and **screening** proposed for same,
 - (iv) Location and approximate dimensions of existing and proposed culverts and crossings;

- (h) Other features may be required to be shown as deemed necessary by the *Development Officer*.
- 6.4.3 In addition to the requirements of **Section 6.4.2**, other information may be required to evaluate the application, including but not limited to:
- (a) A geotechnical report in a potentially hazardous or unstable area;
 - (b) A traffic impact assessment;
 - (c) An environmental site assessment to determine potential contamination and mitigation;
 - (d) An environmental impact assessment for a *development* with potential significant environmental effects; or
 - (e) A wetland assessment.
- 6.4.4 Each *development permit* application shall be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution of *Council*.
- 6.4.5 The *Development Officer* shall consider and decide on *development permit* applications within forty (40) days of receipt of the application in its complete and final form in accordance with **Section 6.6**. If a decision is not made within forty days of the receipt of the *complete application*, the permit shall, at the option of the applicant, be deemed refused. Alternately, the applicant may at their discretion enter into a time extension agreement with the *Development Officer* to extend the forty (40) day period using the prescribed form.
- 6.4.6 If an extension agreement pursuant to **Section 6.4.5** has not been entered into, the applicant may deem the application to be refused if a decision has not been made within the forty (40) day limit.

6.5 Subdivision Applications

- 6.5.1 A *subdivision* application shall be made to the *Development Officer* in writing on the prescribed form and shall be signed by the *registered owner* or an authorized agent.
- 6.5.2 The *Development Officer* shall require the following information in order to be considered a complete *subdivision* application:
- (a) The application form;
 - (b) A right of entry form signed by the *registered owner*;
 - (c) A tentative plan;
 - (d) A copy of the certificate of title dated within thirty (30) days of the application;
 - (e) A map illustrating the land *uses* on all *adjacent* lands;
 - (f) Information respecting existing and proposed sources of water;
 - (g) Information respecting existing and proposed methods of sewage disposal, including *setback* distances; and
 - (h) The prescribed non-refundable application fee, the amount of which shall be established by resolution of *Council* from time to time.
- 6.5.3 In addition to the requirements of **Section 6.5.2**, other information may be required by the *Subdivision Authority* to review a *subdivision* application, including: soil testing, geotechnical reports, *site* topography and drainage patterns.

6.6 Determination and Notification of Complete Applications

- 6.6.1 Within twenty (20) days of receipt of a *subdivision* or *development permit* application pursuant to **Section 6.4.2** or **Section 6.5.2**, the *Development Officer* shall determine whether an application is complete, unless an agreement is reached between the *Development Officer* and the applicant to extend the twenty (20) day period. If the *Development Officer* fails to determine that the application is complete within the prescribed time period, the application shall be deemed to be complete.
- 6.6.2 When, in the opinion of the *Development Officer* an application is deemed to be incomplete, the applicant shall be advised in writing that the application is incomplete, and that the application will not be processed until all of the required information is provided. The written notice shall include a description of the information required for the application to be considered complete and the deadline by which the required information is to be submitted. The failure to submit the required information in accordance with the notice shall result in the application being deemed refused and may be appealed in accordance with **Section 6.11**.
- 6.6.3 Once an application is deemed to be complete in accordance with **Section 6.6.1** or **Section 6.6.2**, the applicant shall be notified in writing that the application is complete, and the *Development Officer* shall process the application.
- 6.6.4 The requirements of this Section do not apply to the optional information identified in **Section 6.4.3** and **Section 6.5.3**, but if required shall be provided by the applicant to the *Approving Authority* prior to a decision being made.

6.7 Referrals

- 6.7.1 The *Development Officer* may refer a *development permit* application to any government agency, the *registered owner(s)* of *adjacent lots*, or any person or agency with a registered encumbrance on the subject land for comment and advice.
- 6.7.2 Notwithstanding **Section 6.7.1**, upon receipt of a *development permit* application for a *Permitted Use* requiring a *variance* or a *Discretionary Use*, the *Development Officer* shall send a written notice to the *registered owner(s)* of all *adjacent lots* that includes:
- (a) the location and nature of the proposed *development*; and
 - (b) the method and date to submit comments; and
 - (c) a copy of the application.
- 6.7.3 After fourteen (14) days from the date of a referral under **Section 6.7.1** or **Section 6.7.2**, the *Development Officer* may decide on the application whether or not comments have been received.
- 6.7.4 The *Development Officer* shall circulate an application for *subdivision* to the *registered owner(s)* of *adjacent lots*, and all agencies required under the *Regulation* for review and comment. A *subdivision* application may also be circulated to any person or agency with a registered encumbrance on the subject land.

6.8 Development Officer's Discretion

- 6.8.1 In making a decision on an application for a *Permitted Use*, the *Development Officer* shall:
- (a) Approve with or without conditions, a *development permit* application provided the proposed *development* conforms with this bylaw; or
 - (b) Refuse a *development permit* application if the proposed *development* does not conform with this bylaw.
- 6.8.2 In making a decision on an application for a *Discretionary Use*, the *Development Officer*:
- (a) May approve, either permanently or for a limited period of time and with or without conditions, a *development permit* application which meets the requirements of this bylaw;
 - (b) May refuse a *development permit* application on its merits even though it meets the requirements of this bylaw;
 - (c) Shall refuse a *development permit* application which does not meet the requirements of this bylaw.
- 6.8.3 A *development permit* application for a *use* which is not listed as a *Permitted Use* or a *Discretionary Use* in the subject Land Use District shall be refused.
- 6.8.4 Notwithstanding **Section 6.8.3**, the *Development Officer* may determine that the proposed *use* of land or a *building* is similar in character and purpose to a *use* listed under that Land Use District, despite that the *use* is not listed as a *Permitted Use* or *Discretionary Use* in this Bylaw, the *Development Officer* may issue a *development permit*.
- 6.8.5 In reviewing a *development permit* application for a *Discretionary Use*, the *Development Officer* shall have regard for:
- (a) The purpose and intent of the *Act*, as well as any *statutory plans* adopted by the *Town*;
 - (b) The circumstances and merits of the application, which may include such items as:
 - (i) Impact of nuisance factors such as smoke, airborne emissions, odours and noise on nearby properties;
 - (ii) The design, character and appearance of the *development* shall be compatible with and complementary to the surrounding area; and
 - (iii) The servicing requirements for the proposed *development*.
- 6.8.6 Notwithstanding any provisions or requirements of this bylaw, the *Development Officer* may establish a more stringent standard for a *Discretionary Use* when deemed necessary to do so.
- 6.8.7 A *development permit* for a *temporary use* or *development* may only be issued if the *use* or *development* is listed as a *Permitted Use* or a *Discretionary Use* in the applicable Land Use District.
- 6.8.8 The *Development Officer* shall refuse an application for a *development permit* or *subdivision* that is deemed to be incomplete in accordance with **Section 6.6**.

6.8.9 ***Variances***

- (a) The ***Development Officer*** may approve a ***development permit*** application notwithstanding that the proposed ***development*** does not comply with this bylaw if, in the opinion of the ***Development Officer***:
 - (i) The proposed ***development*** would not
 - 1. Unduly interfere with the amenities of the neighbourhood, or
 - 2. Materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - (ii) The proposed ***development*** conforms with the ***use*** prescribed for the land or ***building*** in the Bylaw.
- (b) Notwithstanding **Section 6.8.1** and **Section 6.8.2**, and further to **subsection (a)**, the ***Development Officer*** may allow a ***variance*** not exceeding ten percent (10%) of the ***lot/site width***, ***lot/site area***, ***building height*** or ***development setback*** where it is deemed that such ***variance*** does not unduly interfere affect the amenities, use or enjoyment of the ***site*** or of the neighbouring properties.
- (c) In the event that a ***variance*** is granted pursuant to **subsection (b)**, the ***Town*** shall indicate in its files the type and extent of any ***variance*** granted to any ***development permit*** approval.
- (d) Notwithstanding **subsection (b)**, in established residential Land Use Districts the ***Development Officer*** may allow ***front yard setbacks*** for infill housing ***development*** to be varied to coincide with the average ***setback*** on the block face being developed.
- (e) Notwithstanding anything else in this bylaw, a vacant ***lot*** held in separate ownership from adjoining ***lots*** on the effective date of this bylaw, having less than the minimum width may, at the discretion of the ***Development Officer***, be used for any purpose allowed for in the Land Use District in which the ***lot*** is located and a ***building*** may be erected on the ***lot*** provided that all other applicable provisions in this Bylaw are satisfied.

6.9 Conditions of a Development Permit or Subdivision Approval

- 6.9.1 The ***Approving Authority*** may attach conditions to a ***development permit*** or ***subdivision*** approval it deems necessary to address or resolve any concerns or issues respecting a proposed ***development*** or ***subdivision***.
- 6.9.2 The ***Approving Authority***, as a condition of issuing a ***subdivision*** approval or ***development permit***, may require that the applicant enter into an agreement with the ***Town*** to do any or all of the following:
 - (a) To ***construct*** or pay for the construction of a ***road*** required to give access to the ***development*** or ***subdivision***;
 - (b) To ***construct*** or pay for the construction of a pedestrian walkway system to serve the ***development*** or ***subdivision***, or pedestrian walkways to connect the pedestrian walkway system serving the ***development*** or ***subdivision*** with a pedestrian walkway system that serves or is proposed to serve an ***adjacent development***;
 - (c) To install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the ***development***;
 - (d) To ***construct*** or pay for the construction of off-street or other parking facilities and loading and unloading facilities;
 - (e) To pay an off-***site*** levy or redevelopment levy imposed by bylaw;
 - (f) To provide security to ensure that the terms of the agreement are carried out; and
 - (g) Any other requirement the ***Town*** deems necessary.

- 6.9.3 Upon approval of a *development permit* the *Development Officer* may attach approved *building plans*, *site plans*, and *landscaping plans* as schedules to the *development agreement*.
- 6.9.4 The *Town* may register a caveat pursuant to the provisions of the *Act* and the *Land Titles Act* in respect of an agreement under **Section 6.9.1** against the certificate of title for the land that is the subject of the *development*. Said caveat shall be discharged when the agreement has been complied with.
- 6.9.5 When, in the opinion of the *Development Officer*, satisfactory arrangements have not been made by an applicant for the supply of water, electrical power, sewage, or access, including payment of the costs of installation or construction, the *Development Officer* shall not issue a *development permit*.
- 6.9.6 A *development permit* comes into effect twenty-one (21) days after Notice of Decision has been given unless an appeal has been lodged with the *Board*. No *development* shall be *commenced* pursuant to the *development permit* until all appeals are finally determined and the issuance of the *development permit* has been upheld.
- 6.9.7 A *development permit* lapses or expires and is automatically void:
- (a) If the *development* authorized is not *commenced* within twelve (12) months from the date of issuing the permit, or within such longer periods as may be approved by the *Development Officer*;
 - (b) The *development* is *temporary*, and the time allowed for carrying out the *development* under the *development permit* conditions has expired;
 - (c) For a *development permit* authorizing a *dwelling unit*, if the *dwelling unit* is not substantially complete and safe for *occupancy*, as evidenced by the applicant's submission to the *Town* of all permit approvals required under the *Safety Codes Act*, within eighteen (18) months from the date that the *development permit* became effective, unless otherwise prescribed under the conditions of the *development permit*;
 - (d) If a *development* is not completed within the time prescribed for completion under the *development permit* conditions.
- 6.9.8 When an application for a *development permit* has been refused pursuant to this bylaw or ultimately after appeal, the submission of another application for a *development permit* on the same *parcel* of land for the same or similar *use* shall not be accepted by the *Development Officer* for at least six (6) months after the date of the refusal.

6.10 Notification of Decision

- 6.10.1 A decision of the *Approving Authority* on an application for a *development permit* or *subdivision* shall be given in writing, and a copy of the notice of decision shall be mailed or emailed to the applicant or agent, and in the case of a *subdivision* approval, any other person or agency required under the *Act*.
- 6.10.2 *Development permit* approvals shall be posted on the *Town's* website.
- 6.10.3 When an application for a *development permit* for a *Permitted Use* requiring a *variance*, or a *Discretionary Use* is approved, the *Development Officer* shall publish a notice in the

local newspaper, and provide written notice to the *registered owner(s)* of the *adjacent lots*, stating the location and address of the property for which the application has been made, the nature of the approval, and the decision of the *Development Officer*.

6.10.4 When an application for a *development permit* or *subdivision* is refused, the *Development Officer* shall mail a notice of decision to the applicant or his agent stating the reasons for the refusal.

6.10.5 For the purposes of this bylaw, notice of the decision of the *Development Officer* is deemed to have been given on the day when the Notice of Decision is published in the newspaper, or on the date the notice is mailed or emailed to the applicant.

6.11 Appeals

6.11.1 Method of Appeal

- (a) The *Board* shall perform such duties and follow such procedures as specified in the *Act* and the Intermunicipal Subdivision and Development Appeal Board Bylaw, as amended.
- (b) A decision on a *development permit* or a *subdivision* may be appealed:
 - (i) By the applicant by serving a written notice of appeal on the *clerk* within twenty-one (21) days after notice of the decision or issuance of the *development permit* or fourteen (14) days after notice of the decision of *subdivision* was given, or
 - (ii) By an affected person within twenty-one (21) days after the date on which notice of issuance of the *development permit* was given in accordance with **Section 6.10**.
- (c) For the purposes of this Bylaw, **Section 6.10.5** establishes the date a notice of decision is deemed to have been given.

6.11.2 In the event that a *development permit* application is refused by the *Development Officer* is approved by the *Board*, the subsequent issuance of the *development permit* by the *Development Officer* shall not require further advertising.

6.11.3 The Appeal Process

- (a) The *clerk* shall give written notice of the hearing to all required parties in accordance with the *Act* and the Intermunicipal Subdivision and Development Appeal Board Bylaw, as amended.
- (b) When a notice of appeal has been served on the *clerk* with respect to a decision of the *Approving Authority* to approve a *development permit* or *subdivision*, the *development permit* or *subdivision* approval shall not be effective before:
 - (i) The decision of the *Approving Authority* has been sustained by the *Board*; or
 - (ii) The *clerk* has received written notification from the appellant that the appeal has been abandoned.
- (c) If the decision of the *Approving Authority* to approve a *development permit* or *subdivision* application is reversed by the *Board*, the *development permit* or *subdivision* approval shall be null and void
- (d) If the decision to approve a *development permit* or *subdivision* application is varied by the *Board*, the *Board* shall direct the *Development Officer* to forthwith issue the *development permit* or *subdivision* in accordance with the terms of the decision of the *Board*.

- (e) If the decision to refuse a *development permit* or *subdivision* application is reversed by the *Board*, the *Board* shall direct the *Development Officer* to issue a *development permit* or *subdivision* forthwith in accordance with the decision of the *Board*.

6.12 Amendments

- 6.12.1 An application to amend this bylaw shall be made to the *Development Officer* in writing on the prescribed form and shall be signed by the applicant or his agent. The *Development Officer* may require any of the following information to accompany an amendment application:
 - (a) If the amendment involves the redesignation of land to a different Land Use District,
 - (i) A copy of the certificate of title for the lands affected, or any other documentation satisfactory to the *Development Officer* verifying that the applicant has a legal interest in the land;
 - (ii) Where the applicant is an agent acting for the *registered owner*, a letter from the *registered owner* verifying the agent's authority to make the application; and
 - (iii) A properly dimensioned map indicating the affected *site*, and its relationship to *adjacent land uses*;
 - (b) A statement of the reasons for the request to amend the bylaw; and
 - (c) Such additional information as the *Development Officer* may require.
- 6.12.2 Each amendment application shall be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution of *Council*.
- 6.12.3 The *Development Officer* may refuse to process an amendment application if the information required has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.
- 6.12.4 *Council*, on its own initiative, may proceed to undertake an amendment to this bylaw by directing the *Development Officer* to initiate an application.
- 6.12.5 Upon receipt of a *complete application* in accordance with **Section 8.1**, the *Development Officer* shall refer the application to *Council* for first reading and to establish a date for a public hearing to be held prior to second reading.
- 6.12.6 The *Development Officer* may refer an amendment application to any agency in order to receive comment and advice.
- 6.12.7 The *Development Officer* shall forthwith cause the notice of the public hearing to be published in two (2) consecutive issues of the local newspaper. This notice shall contain:
 - (a) The purpose of the proposed amendment;
 - (b) The one or more places where a copy of the proposed amending order may be inspected by the public during reasonable hours;
 - (c) The date, place, and time that *Council* will hold a public hearing on the proposed amendment;
 - (d) An outline of the procedures to be followed by anyone wishing to be heard at the public hearing;
 - (e) An outline of the procedures by which the public hearing will be conducted; and
 - (f) If the amendment involves the redesignation of land to a different Land Use District, the municipal address, if any, and the legal description of the land.

6.12.8 *Council*, after considering

- (a) Any representations made at the public hearing; and
- (b) Any *statutory plan* affecting the application and the provisions of this bylaw may
 - (i) Make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
 - (ii) Defeat the proposed amendment.

6.12.9 Where an application for an amendment has been refused by *Council* or withdrawn by the applicant after advertisement of the proposed amendment, the *Development Officer* shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal, or six months after the date that the applicant's letter of withdrawal is received by the *Development Officer*.

6.13 Compliance and Enforcement

6.13.1 *Non-Conforming Buildings and Uses*

A *development* that is considered as a *non-conforming building* or *use* shall be dealt with as provided for under the *Act*. For convenience, the following extracts are provided:

- (a) If a *development permit* has been issued on or before the day on which this bylaw or amending bylaw comes into force, and this bylaw would make the subject *development* a nonconforming *use* or *non-conforming building*, the *development permit* continues in effect in spite of the coming into force of this bylaw.
- (b) A *non-conforming use* of land or a *non-conforming use* of a *building* may be continued but if that *use* is discontinued for a period of six (6) consecutive months or more, any future *use* of the land or *building* shall conform with the provisions of this bylaw;
- (c) A *non-conforming use* of part of a *building* may be extended throughout the *building* but the *building*, whether or not it is a *non-conforming building*, may not be enlarged or added to and no *structural alterations* may be made to it or in it;
- (d) A *non-conforming use* of part of a *lot* may not be extended or transferred in whole or in part to any other part of the *lot* and no additional *buildings* may be constructed on the *lot* while the nonconforming *use* continues;
- (e) A *non-conforming building* may continue to be used but the *building* may not be enlarged, added to, rebuilt or structurally altered except
 - (i) To make it a conforming *building*; or
 - (ii) For routine maintenance of the *building*, if the *Development Officer* considers it necessary;
- (f) If a *non-conforming building* is damaged or destroyed to the extent of more than seventy five percent (75%) of the value of the *building* above its foundation, the *building* may not be repaired or rebuilt except in accordance with this bylaw;
- (g) The *use* of land or a *building* is not affected by a change of ownership or tenancy of the land or *building*.

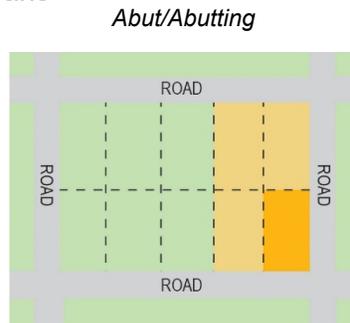
6.13.2 Contravention

- (a) Where the *Development Officer* finds that a *development* or *use* of land is not in accordance with the *Act*, this bylaw, or an issued *development permit*, the *Development Officer* may, by written notice ("Stop Order"), order the *registered owner*, the person in possession of the land or *buildings*, or the person responsible for the contravention, or all or any of them to:

- (i) Stop the *development* or *use* of the land or *building* in whole or in part as directed by the notice;
 - (ii) Demolish, remove or replace the *development*; or
 - (iii) Carry out any other actions required by the notice so that the *development* or *use* of the land or *building* complies with the *Act*, a *development permit* or a *subdivision* approval, or this bylaw as the case may be, within the time set out in the notice.
- (b) If a person fails or refuses to comply with a Stop Order directed to him under **subsection (a)** or a Stop Order issued by the *Board* under the *Act*, *Council* or a person appointed by it may, in accordance with the Act, enter upon the land or *building* and take such action as is necessary to carry out the Stop Order.
- (c) When *Council* or a person appointed by it carries out a Stop Order, *Council* shall cause the costs and expenses incurred in carrying out the Stop Order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
- (d) For the purpose of entering and inspecting land or *buildings* as described in the Act, the *Development Officer* is hereby declared to be a Designated Officer.
- (e) The *Development Officer* may suspend or revoke a *development permit* which has not been complied with.

SECTION 7 DEFINITIONS

Abut/Abutting means contiguous to or physically touching, and when used with respect to a *lot* or *site*, means that the *lot* or *site* physically touches upon another *lot* or *site* and shares a boundary with it.



Accessory Building or Use means a *building* or *use* which, in the opinion of the *Development Officer*, is incidental, subordinate and exclusively devoted to the *principal use* or *building* and located on the same *site*.

Accessory Dwelling means a *dwelling unit* that is located either above or to the rear of a commercial *use* and is subordinate to the commercial *use*.

Act means the Municipal Government Act, SA 2000, as amended.

Adjacent means land that is contiguous to another *parcel* of land, or would be contiguous if not for a river, stream, railway, *road* or utility right of way or reserve land.



Agricultural Industry means an industrial *use* related to agriculture involving the production, initial processing or storage of farm products and may include a grain elevator, seed cleaning plant, pelletizing plant, fertilizer sales and storage, and similar uses.

Agriculture, Extensive means the raising or production of any cultivated crops, livestock or dairy products that utilize relatively large areas of land and in which the *use* of *buildings* and confinement areas is auxiliary to the *use* of the land itself. This constitutes an “agricultural operation” pursuant to the requirements of the *Agricultural Operation Practices Act*.

Amusement Facility means an area, *structure* or part of a *structure* open to the public that contains mechanical or electronic games and/or pool tables for the purposes of providing entertainment for a fee.

Approach means a vehicular access *road*, culvert crossing, or other *structure* constructed, erected, installed or maintained in a *road* between a *lot line* and the nearest curb or edge of *road* and is for the use or benefit of the occupant of the subject *lot* or *site*.

Approving Authority means the *Development Officer* or *Subdivision Authority*, whichever is applicable.

Arena means an indoor sports and recreation facility that includes an ice surface surrounded by spectator seating.

Auto Body and Paint Shop means a *development* for the repair and/or painting of motor vehicle bodies but does not include facilities for the sale of fuels, lubricants, automotive accessories or mechanical or electrical repairs.

Automotive and Equipment Repair means a facility for the servicing and mechanical repair of automobiles, trucks and utility vehicles, heavy equipment, motorcycles, snowmobiles, motor homes and similar vehicles, the sale, installation, or servicing of related accessories and parts, and servicing of small engines and equipment,

but does not include *auto body and paint shops* or salvage yards.

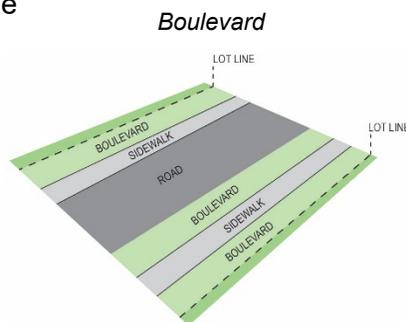
Basement means that portion of a *building* that is located wholly or partially below *grade*, the ceiling of which does not extend more than 1 m (3 ft) above *grade*.

Bed and Breakfast means a *development* that is operated from a private residence that has two (2) or more rooms for rent to the general public on a daily basis. The rent charge may or may not include meals for the registered guests. Not to limit the generality of the above, the main use of the house is for a private residence for the host and their immediate family.

Board means the Intermunicipal Subdivision and Development Appeal Board established by bylaw.

Boulevard means:

- (a) That portion of the right-of-way of a *road* lying between the curb line of the *road* and the *abutting lot line*, excepting that portion occupied by a sidewalk;
- or
- (b) Where there is no curb, that portion of the right-of-way lying between the edge of the *road* ordinarily used by vehicles and the *abutting lot line*, excepting that portion occupied by a sidewalk.



Building Height means the vertical distance of a *building* measured from the *average finished grade* at its base and the highest point of the roof.

Building Supplies means a commercial *development* offering for sale dimensional and sheet lumber and construction materials and may include outside and fenced storage of the same for the purposes of sale.

Bulk Fuel/Chemical or Card Lock means a *development* where refined or crude oil, fuel, or liquid or solid chemical is stored outdoors, and includes the storage of dangerous or hazardous substances, as defined by the *Dangerous Goods Transportation and Handling Act* and the Major Industrial Accidents Council of Canada (MIACC). The *development* may include facilities for the sale of bulk oil, fuel or chemicals, but does not include manufacture of any of these products.

Bulk Retail means a commercial *development* where consumer goods are offered in bulk (*warehouse* style and in case *lots* or pre-packaged multiples) for sale or trade during limited hours of operation and excludes the storage and/or sale of hazardous goods to the satisfaction of the *Development Officer*.

Campground means an area for the seasonal short-term use (maximum 30 days) of *recreational vehicles*, tents, tent trailers and similar vehicles, and is not used for *recreational vehicle storage*, or accommodation for residential use. Typical *uses* include, but are not limited to, tourist trailer parks, campsites and tenting grounds and related recreational activities such as picnic grounds and playgrounds.

Cannabis means *cannabis* plant, fresh *cannabis*, dried *cannabis*, *cannabis* oil and *cannabis* plant seeds, and any other substance defined as *cannabis* in the *Cannabis Act (Canada)* and its regulations,

as amended from time to time and includes edible products that contain *cannabis*.

Cannabis Retail Sales means a *retail store* licensed by the Alberta Gaming and Liquor Commission (AGLC) where *cannabis* and *cannabis* accessories are sold to individuals who attend at the premises and where consumption of *cannabis* must not occur.

Cannabis Production Facility means a premise used for growing, producing, processing of raw materials, testing, destroying, storing, or distribution of *cannabis* authorized by a license issued by Health Canada.

Canopy means a projection extending from the outside wall of a *building* normally for the purpose of shielding a part of the *building* from the sun.

Carpport means a *building*, designed and used for the storage of not more than four private motor vehicles, and consists of a roof supported on posts or columns and not enclosed on more than two sides whether separate from or attached to the *principal building* on a *site*.

Car and Truck Wash means a *building* used for the purpose of washing and cleaning motor vehicles.

Child Care Facility means a provincially regulated facility used for the provision of care, instruction, maintenance or supervision of children.

Clerk means the *clerk* of the Intermunicipal Subdivision and Development Appeal Board.

Commence means to initiate a *development* pursuant to an approved *development permit*. For the purpose of this Bylaw, this refers to the *excavation* of a *site* and/or the construction of the foundation of a *building* or *structure*.

Commercial Vehicle means a semi-trailer truck, intermediate-sized vehicle or passenger vehicle no larger than a pick-up or cargo van used in support of a business.

Communication Tower and Antenna System means a *structure* for supporting equipment for transmitting or receiving television, radio, telephone or other electronic communications.

Community Hall or Facility means a *development* used for public or quasi-public activities, such as community cultural and/or fundraising events.

Complete Application means a *development permit* or *subdivision* application that contains all of the information required in order for the *Approving Authority* to make a decision.

Construct means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:

- (a) Any preliminary operation such as *excavation*, filling or draining; and
- (b) Altering an existing *building* or *structure* by an addition, enlargement, extension or other structural change.

Contractor, General means a *development* used for industrial service support and construction. Typical *uses* include oilfield support services, laboratories, cleaning and maintenance contractors, *building* construction, *landscaping*, concrete, electrical, *excavation*, drilling, heating, plumbing, paving, *road* construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal *general contractor use*.

Contractor, Limited means a *development* used for the provision of electrical, plumbing, heating, painting, catering and

similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed **building**, and there are no accessory manufacturing activities.

Corner means the intersection of any two (2) **lot lines** of a **lot** or **site**.

Council means the council of the Town of Wembley.

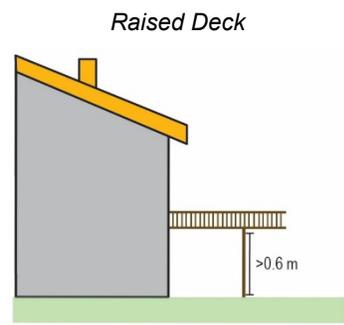
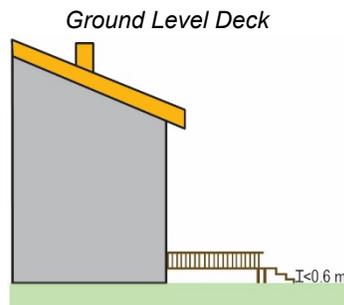
Curling Rink means an **indoor recreation** facility that includes an ice surface designed for the game of curling and may include an eating area and/or lounge.

Dangerous Goods means dangerous goods as defined in the *Alberta Fire Code*.

Dealership means premises for the display, sale and servicing of new or used motor vehicles and equipment, including farm machinery and equipment, construction-related vehicles and equipment, **manufactured homes**, **modular homes**, **recreational vehicles**, trucks, trailers, boats, motorcycles, and snowmobiles.

Deck means an unenclosed amenity area of concrete, brick, wood or other material that is constructed at **grade** or attached to a dwelling, and may consist of a:

- (a) "Ground Level Deck", the overall height of which does not exceed 0.6 m (2 ft) measured



- (b) "Raised Deck", the overall height of which is greater than 0.6 m (2 ft) measured from finished **grade** to finished floor height.

Developer means a **registered owner**, agent or any person, firm or company responsible for a **development**.

Development means

- (a) An **excavation** or stockpile and the creation of either of them, or
- (b) A **building** or an addition to, or replacement or repair of a **building** and the construction or placing in, on, over or under any of them, or
- (c) A change of **use** of land or a **building** or an act done in relation to land or a **building** that results in or is likely to result in a change in the **use** of the land or **building**, or
- (d) A change in the intensity of **use** of land or a **building** that results in or is likely to result in the intensity of **use** of the land or **building**.

Development Officer means the person appointed by a resolution of Council to the office established in **Section 2.1.1** of this bylaw.

Development Permit means a document authorizing a **development** issued pursuant to this bylaw.

Discretionary Use means the **use** of land or of a **building** which is listed in the column captioned **Discretionary Uses** in a table of uses for Land Use Districts in this bylaw.

Drinking Establishment means a facility licensed by the Alberta Gaming and Liquor Commission (AGLC) where alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto.

Drive-Through Business means a **development** which services customers

traveling in motor vehicles driven onto the *site* where such business is carried on, where the customer normally remains in the vehicle for service.

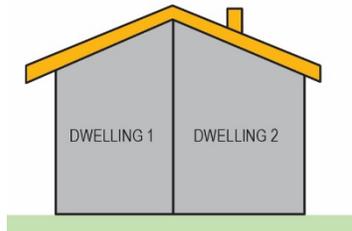
Driveway means a private *road* that provides vehicle access from an individual *lot* or *site* to a *road*.

Duplex means a *building* containing two (2) *dwelling units*, one above the other, each of which has an independent entrance, and may take either of the following forms:

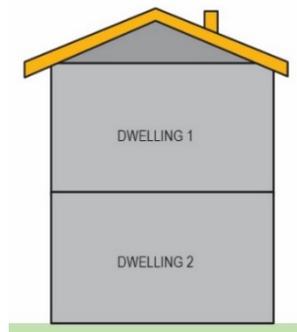
- (a) "Side-Side" where the dwellings share a common wall, or
- (b) "Up-Down" where one (1) *dwelling unit* is located above the other.

Dwelling, Multi-Unit means a residential *development* comprised of three (3) or more dwelling

Duplex – Side-Side



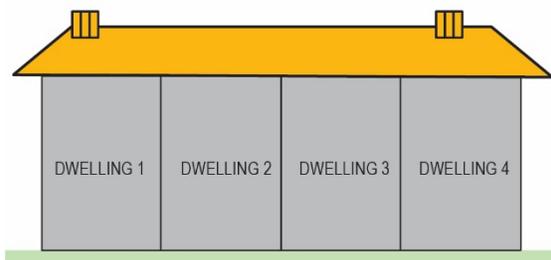
Duplex – Up-Down



Multi-Unit Dwelling - Apartment



Multi-Unit Dwelling – Street-Oriented



units, and may take either of the following forms:

- (a) "Apartment" where multiple dwelling units are located on two (2) or more floors; or
- (b) "Street-Oriented" where the dwellings share common walls.

Dwelling, Single Detached means a stick-built or modular residential *building* containing only one (1) *dwelling unit* but does not include a *manufactured home*.

Dwelling Unit means one (1) or more rooms used as or designed to be used as a residence by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities and with an independent entrance either directly from outside a *building* or through a common hallway inside a *building*.

Easement means a right to use land, generally for access to other property or for a *public utility*.

Emergency Services means a *development* that is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of equipment and vehicles necessary for the local distribution of utility services. Typical *uses* include police stations, fire stations, emergency medical services, and accessory training facilities.

Equipment and Pipe Storage means the storage of materials, goods and equipment and may include the shipping of such materials, goods and equipment, including petrochemical products and supplies.

Excavation means any breaking of ground required for the purpose of developing a *lot* or *site*.

Exterior Storage means the *use* of a *site* or portion of a *site* used for the storage of products, goods, materials, machinery,

vehicles, or equipment that is not contained within a **building**.

Fence means a physical barrier constructed for the purposes of sound abatement, limiting intrusion, and/or to prevent unauthorized access or containment of livestock.

Financial Services means a **building**, or part of a **building**, where such services as loans, deposit accounts and mortgages are provided.

Fleet Service means a **development** using a fleet of vehicles for the delivery of people, goods, or services, where such vehicles are not available for sale or long-term lease. This includes, taxi services, bus lines, messenger and courier services, but does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg (6,600 lb).

Floor Area means the total area of every room and passageway contained in a **building** but not including the areas occupied by **basements**, attached **garages**, sheds, open **porches** or breezeways.

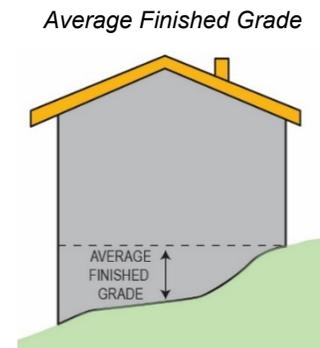
Garage means an **accessory building** or part of the **principal building** designed and used primarily for the storage of motor vehicles.

Gas Bar means a **development** used for the sale of gasoline, propane or other fuels, the sale of lubricating oils and other automotive fluids or motor vehicle accessories but does not include **service stations** or automotive or equipment repair.

General Industrial Use means such **uses** as: manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of materials, finished goods, products or equipment. Activities may occur indoors, outdoors or both, unless specific limitations are applied within the applicable Land Use District.

Grade means the normal ground elevation of a **lot** or **site**.

Grade, Average Finished means for the purposes of measuring **building height**, the arithmetic mean of the elevations of the finished grade at two outermost **corners** of a wall on the respective side of a **building**.



Greenhouse means a **development** for the raising, storage, basic processing and sale of fruits and vegetables, including bedding, edible, household and ornamental plants. This **use** includes tree nurseries but does not include **cannabis production facilities**.

Gross Floor Area (GFA) means the total of the **floor area** of every room and passageway contained in a **building** but not including the **floor areas** of **basements**, attached **garages**, sheds, open **porches** or breezeways.

Hard Surfaced/Surfacing means a surface consisting of, at minimum, prepared gravel or paving approved by the **Development Officer**.

Highway means a **road** designated by the Province as a highway.

Home Based Business means the use of a portion of a residential **building** to conduct a business or commercial enterprise that is incidental or subordinate to the residential use of the **building**.

Hotel means a **building** used for the provision of rooms or suites for **temporary** accommodation where the rooms obtain access from a common interior corridor and may have a meal service for guests. Hotels may include meeting rooms, **drinking establishments** and **restaurants**.

Landscaping means the modification and enhancement of a *lot* or *site* using any or all of the following elements:

- (a) "Soft landscaping" consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
- (b) "Hard landscaping" consisting of non-vegetative materials such as brick, stone, concrete, tile, and wood, excluding monolithic concrete and asphalt.

Lane means a narrow *road* intended to give vehicular access to the rear of a *building* or *lot*.

Light Manufacturing Industry means a *general industrial use* that is undertaken entirely indoors, and the activities undertaken do not generate impacts external to the site on which it is located.

Loading Space means a space for parking a *commercial vehicle* while being loaded or unloaded.

Lot means:

- (a) A quarter section,
- (b) A river lot or settlement lot shown on an official plan as defined in the *Surveys Act* that is filed or lodged in a land titles office,
- (c) A part of a *parcel* where the boundaries of the part are separately described in a certificate of title other than by reference to a legal *subdivision*, or
- (d) A part of a *parcel* where the boundaries of the part are described in a certificate of title by reference to a plan of *subdivision*.

Lot, Corner means a *lot* which *abuts* two or more intersecting *roads*.

Lot Line means a legally defined limit of any *lot*.

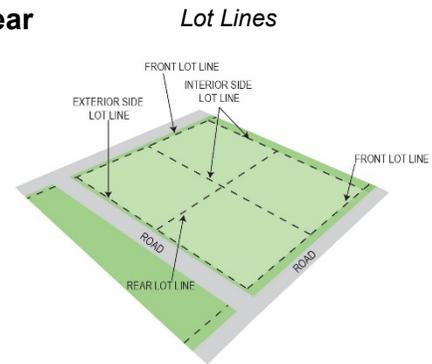
Lot Line, Exterior Side means a side *lot line* that abuts a *road* or *lane*.

Lot Line, Front means the boundary dividing the *lot* from an abutting *road* other than a *lane*. In the case of a *corner lot* the shorter *lot line* shall be the *front lot line*.

Lot Line, Interior Side means a side *lot line* that is not an *exterior side lot line*.

Lot Line, Rear

means the *lot line* of a *lot* that is directly opposite to the front line.



Lot Line, Side

means any *lot line* other than the front or rear *lot line*.

Lot, Through means a *lot* that *abuts* two parallel *roads*, not including *lanes*.

Lot/Site Area means the total area, measured on a horizontal plane, within the lot lines of a *lot* or a *site*.

Lot/Site Coverage means that percentage of the area of any *lot* or *site* which is covered by all *buildings* on the *lot* or *site*, excluding balconies, canopies and the like.

Lot/Site Width means the distance between the side *lot lines* at a point midway between the front and rear of the *lot* or *site* and approximately parallel to the front *lot line*.

Manufactured Home means a prefabricated detached *dwelling unit* that meets Canadian Standards Association (CSA) Z240 standards, meets the requirements of the *Alberta Building Code* and does not include a *modular home*. For the purpose of this Bylaw, two types of *manufactured homes* may be distinguished:

- (a) "Single Section" means a *manufactured home* consisting of a

single unit designed to be towed in a single load.

- (b) "Multiple Section" means a *manufactured home* consisting of two (2) or more sections separately towable but designed to be joined together at the *site* to form one *dwelling unit*.

Manufactured Home Dwelling Site means that portion of *manufactured home community* that has been reserved for the placement of a *manufactured home* and related *accessory buildings*.

Manufactured Home Community means a *development* on a *lot* under single ownership and managed by an operator that is designed to accommodate numerous *manufactured homes* on leased *sites* in a comprehensively planned setting.

Market Garden means a commercial *development* for the growth and sale of vegetables and/or fruit and may include 'u-pick' (customer picked) vegetables and/or fruit sales.

Medical Clinic means a *development* used for the provision of physical and mental health services on an outpatient basis. Typical uses include walk-in medical and dental offices, diagnostic services, rehabilitative and therapeutic services.

Mini Storage means a *development* consisting of self-contained *buildings* or storage facilities intended to provide inside storage options on a small scale where the customer is charged a rental fee on a monthly or annual basis for the storage of personal products.

Modular Home means a prefabricated or factory-built dwelling that is manufactured to meet the Canadian Standards Association (CSA) Z277 standard, meets the requirements of the *Alberta Building Code*, and is installed on a concrete foundation.

Motel means a *building* or group of *buildings* designed for the accommodation of the travelling public containing guest rooms, each of which has a separate entrance directly from outside the *building*.

Museum means a *building* or place where collections of things of artistic, scientific or historical interest are kept and displayed for viewing by the public.

Non-Conforming refers to a *building* or *use* that does not comply with the provisions of this Bylaw.

Occupancy means the use or intended use of a *building* or part thereof for the shelter or support of persons or property.

Parcel means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

Park means land developed for public recreational activities that does not require major *buildings* or facilities, and typically includes, but is not limited to, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

Parking Lot a portion of a *lot* or *site* that is developed for the at-grade parking of motor vehicles.

Parking Stall means a space within a parking *lot* that is designed to accommodate the parking of one vehicle.

Permitted Use means the use of land or of a *building* which is listed in the column captioned *Permitted Uses* in a table of uses for the Land Use Districts appearing in this bylaw.

Personal Services means a *development* used for the provision of services to an individual which are related to the care and appearance of the body, or the cleaning and

repair of personal effects. For purposes of clarification this includes barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and similar *uses*.

Porch means an entrance *structure* typically attached to the front or sides of a residential dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the *structure* may be enclosed by solid walls or windows or unenclosed where the front and/or sides remain open to the elements.

Principal Building or Use means a *building* or *use* that, in the opinion of the *Development Officer*,

- (a) Occupies the major or central portion of a *lot* or *site*;
- (b) Is the main *building* or *use* among one (1) or more *buildings* or *uses* on the *lot* or *site*; or
- (c) Constitutes by reason of its use the primary purpose for which the *lot* or *site* is used. There shall be no more than one (1) *principal building* on each *lot* or *site* unless specifically permitted in this bylaw.

Private Club or Lodge means a *development* used for the meeting, social or recreational activities of members of non-profit, philanthropic, social service, athletic, business or fraternal organizations, and does not include an *accessory dwelling*.

Professional Services means a *development* that provides business, administrative, professional, management, and similar office and business support services, excluding financial services.

Public Building or Use means a *building*, *structure*, or *site* owned or leased by a department or agency of the federal, provincial or municipal government for the purpose of public administration such as (but not limited to) municipal offices, taxation offices, courthouses, postal stations, manpower and employment

offices, *school* board office, health authority office, and social services.

Public Utility means a system or works used to provide the following for public consumption or benefit:

- (a) Telecommunications systems,
- (b) Waterworks systems,
- (c) Irrigation systems,
- (d) Systems for the distribution of natural gas,
- (e) Systems for the distribution of electric power,
- (f) Heating systems, and
- (g) Sewage systems.

Public Utility Lot means a *lot* or *parcel* of land used in the distribution, maintenance and housing of a *public utility*.

Recreation, Indoor means a facility where patrons participate in sports events and other recreational activities within a *building* that may include a *restaurant* and a *retail store*. Typical *uses* include but are not limited to health and fitness clubs, archery ranges, gymnasiums, bowling alleys, and racket clubs.

Recreational Vehicle means a vehicle or portable *structure* designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide *temporary* living accommodation for travel and/or recreational purposes. This includes such vehicles as motor homes, fifth wheel trailers and holiday trailers, but does not include a *manufactured home*.

Recreational Vehicle Storage means the storage of *recreational vehicles* but does not include a recreational vehicle park or the sales or service of *recreational vehicles*.

Registered Owner means:

- (a) In the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- (b) In the case of any other land:

- (i) The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title; or
- (ii) In the absence of a person described in paragraph (i), the person noted under the *Land Titles Act* as the **registered owner** of the fee simple estate in the land.

Regulation means the *Subdivision and Development Regulation*.

Religious Assembly means a **development** used for spiritual worship and related religious philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories, and other **buildings**. Typical **uses** include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

Residential Care Facility means a multi-unit residential **development** that provides special care for individuals that are aged and/or disabled and has on-site health care facilities and/or health care attendants.

Restaurant means a **development** where food and beverages are prepared, served and generally intended to be consumed on the premises for sale to the public, where minor persons are not excluded, and for which alcoholic beverage service may be a subordinate **use** and is carried out in compliance with any applicable bylaws and provincial and federal laws.

Retail Store means commercial premises in which the retail sale of consumer goods takes place but does not include **cannabis retail sales**.

Road means land shown as a **road** on a plan of survey that has been filed or registered in a land titles office, or used as a public **road**, and includes a bridge forming part of a public **road** and any **structure** incidental to a public **road** but does not include a highway.

Satellite Dish Antenna means a combination of (1) antenna or dish antenna whose purpose is to receive signals from orbiting satellites; (2) a low noise amplifier (LNA) situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; (3) a cable whose purpose is to transmit signals; and (4) other associated components.

School means a **development** that is publicly supported and involves public assembly for education, training or instruction purposes, and includes dormitories and the administration offices required for the provision of such services on the same **site**. Typical **uses** include, but are not limited to, public and separate **schools**, community colleges, universities, and technical and vocational **schools**.

Screening means a fence, berm or hedge used to visually separate areas or functions.

Sea-Can means a standardized reusable steel shipping container used for the safe, efficient and secure storage and movement of materials and products.

Secondary Suite means a self-contained **dwelling unit** that is located within the principal **single detached dwelling** unit, and has sleeping, cooking and living areas that are separate from those of the principal dwelling.

Service Station means a facility for the service and repair of motor vehicles and for the sale of gasoline, lubricating oils, and accessories for motor vehicles and which may provide a towing service, and further may include a **building** or **site** or part of a

site where petroleum products are delivered into containers, tanks, vessels or cylinders.

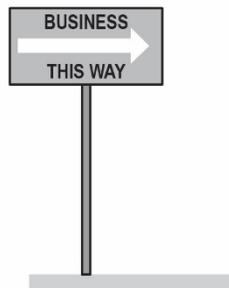
Setback means the distance that a **development** or a specified portion of it must be set back from a **lot line**. The **setback** shall be measured perpendicularly from the applicable front, rear or side **lot line** to the nearest exterior wall of the **building**.

Sight Triangle means that triangle formed by a straight line drawn between two points on the **lot lines** of a **lot** from the point where the **lot lines** intersect, and where visual obstructions, such as **buildings**, **fences**, **signs**, and trees are prohibited.

Sign means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

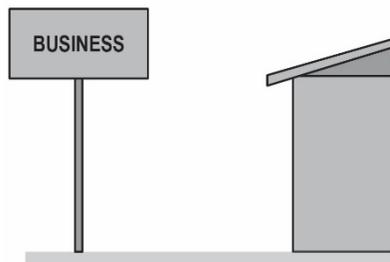
Sign, Directional means a **sign** which contains no advertising, but is limited to the distance and/or direction to a place of business or other premises indicated on the **sign**.

Sign - Directional



Sign, Freestanding means any **sign** supported independently of a **building**, wall or **structure**, and may display copy for a tenant or multiple tenants.

Sign - Freestanding



Site means a **lot** or group of **lots** used for or proposed to be used for a single **development**.

Site Plan means a plan showing the boundaries of the **site**, the location and **use(s)** or proposed **use(s)** of all existing and proposed **buildings** upon the **site**, the **use(s)** or the intended **use(s)** of the portions of the **site** on which no **buildings** are situated, and showing drainage, **fencing**, **screening**, grassed areas, any fixtures and any other significant features located on the **site** and **abutting** public **roads**, sidewalks and above grade public utilities.

Solar Collector means a device used to collect sunlight that is part of a system that converts radiant energy from the sun into thermal or electrical energy for on-site use. This **use** does not include a **solar energy facility**.

Solar Energy Facility means a commercial facility that is designed to collect sunlight and then generate, store and distribute the converted energy for public consumption.

Statutory Plan means a municipal development plan, intermunicipal development plan, or area structure plan prepared and adopted in accordance with the Act.

Storage Yard means a secure, fenced, outdoor development where goods or vehicles are stored for safekeeping or future distribution and that excludes the storage of goods hazardous to **adjacent uses** to the satisfaction of the **Development Officer**.

Storey means the habitable space between the upper face of one floor and the next above it. The upper limit of the top **storey** shall be the ceiling above the topmost floor. A **basement** or cellar shall be considered a **storey** in calculating the height of a **building** if the lower face of the ceiling above it is more than 1.5 m (5 ft) above grade.

Structural Alteration means a **development** or construction, including a renovation or addition to a **building** that affects the structural integrity or access to or within a **building**, but does not result in an

increase to the *gross floor area* of the *building*.

Structure means anything constructed or erected on the ground, or attached to something on the ground, and includes all *buildings*.

Subdivision means the division of a *parcel* of land into one or more smaller *lots* by a plan of *subdivision* or another instrument.

Subdivision Authority means the designated person or persons responsible for receiving, considering and deciding on *subdivision* applications and any other related duties pursuant to the *Act*, the *Regulation* and this bylaw.

Temporary means a *development* or *use* that has been approved for a period not exceeding three (3) months from the date of *development permit* approval with allowance for one three (3) month extension by the *Development Officer*.

Topsoil means the depth of soil containing the major portion of organic matter or the first 6 inches of soil on a *lot* that is used for agricultural purposes.

Town means the Town of Wembley.

Truck and Rail Transload Facility means a *development* that involves the offloading of goods or materials from trucks to rail cars or vice versa for transport and may include associated railway sidings or spur lines.

Truck Terminal means a *development* that may include facilities related to transportation-oriented business. This *use* would normally require a large area to accommodate the parking of large *commercial vehicles* including tractor/trailer units. Typical *uses* include oilfield hauling of materials and equipment, gravel haulers, water haulers, heavy equipment transport, but does not include a *Truck and Rail Transload Facility*.

Use means the purpose or activity for which a piece of land or its *buildings* are designed, arranged, developed or intended, or for which it is occupied or maintained.

Variance means an alteration or change to a standard prescribed by this bylaw that is authorized by the *Development Officer* or the *Board*.

Veterinary Clinic means a *development* for the medical treatment of animals and includes retail sales of associated products. This includes such *uses* as impounding and quarantining facilities and animal shelters but does not include a kennel or the sale of animals.

Warehouse means a *building* primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials or derelict vehicles, and does not include a *cannabis production facility*.

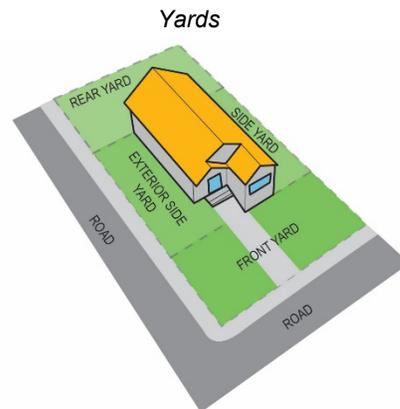
Wind Energy Conversion System (WECS) means a *development* that converts wind energy into electrical power. The following definitions pertain to a *WECS*:

- (a) “Blade” means the part of a *WECS* that forms an aerodynamic surface and revolves on contact with the wind;
- (b) “Blade Clearance” means the minimum distance from grade to the tip of the blade when that tip is at the bottom of a full 360-degree revolution and pointed down to the ground;
- (c) “Horizontal Axis Nacelle” means a *WECS* on which the axis of the nacelle is parallel to the grade;
- (d) “Nacelle” means the part of the *WECS* that includes a generator, gearbox or yaw motor, and other operating parts that is installed at the top of the tower, and to which the blades are attached, and is responsible for converting wind power to energy;
- (e) “Total Height” means the distance from grade to the tip of a blade when that tip is at the top of a full 360-degree revolution and is pointed up to the sky; and

- (f) “Tower” means the vertical *structure* that supports the nacelle and the blade above the ground.

Wind Energy Conversion System (WECS), Small Scale means a single *WECS* developed to generate electrical power for on-site consumption, either on or off-grid, and may provide residual power to the grid but is not intended to produce power for resale. The system and supporting *structure* is less than 25 m (80 ft) in height.

Yard means a part of a *lot* or *site* that is unoccupied and unobstructed by any *structure* or portion of a *structure* above the general ground level of the graded *lot*, unless otherwise permitted in this bylaw.



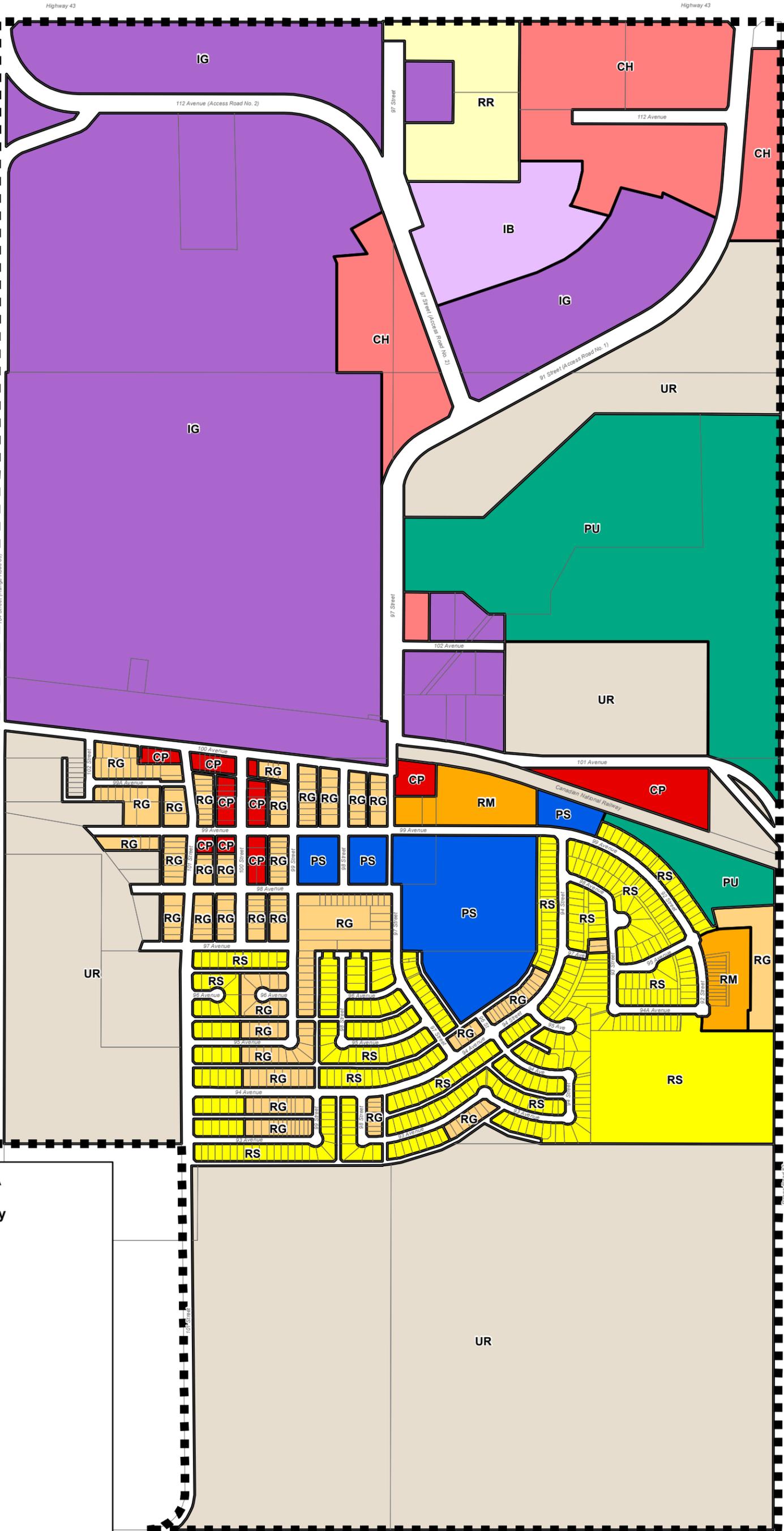
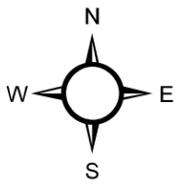
Yard, Exterior Side means a *yard* abutting a *road* that extends from the *front yard* to the *rear yard* and is situated between the side *lot line* and the nearest exterior wall of the *principal building*.

Yard, Front means a *yard* extending across the full width of a *lot* or *site* and situated between the front *lot line* and nearest exterior wall of the *principal building*.

Yard, Interior Side means a *side yard* other than an *exterior side yard*.

Yard, Rear means a *yard* extending across the full width of a *lot* or *site* and situated between the rear *lot line* and the nearest exterior wall of the *principal building*.

Yard, Side means a *yard* extending from the *front yard* to the *rear yard* and situated between the side *lot line* and the nearest exterior wall of the *principal building*.



**Schedule A
Bylaw No. 733
Town of Wembley**

- Land Use Bylaw Districts**
- RS Residential Single Detached
 - RG Residential General
 - RM Residential Multi-Family
 - RR Rural Residential
 - MHP Manufactured Home Park*
 - CP Primary Commercial
 - CH Highway Commercial
 - IG General Industrial
 - IB Business Industrial
 - PS Public Service
 - PU Public Utility
 - UR Urban Reserve
 - DC Direct Control*

* District is available in the Land Use Bylaw but has not yet been applied to any lands within the Town.

SCHEDULE B

LAND USE BYLAW FORMS



DEVELOPMENT PERMIT APPLICATION FORM A

FOR ADMINISTRATIVE USE
APPLICATION NO.
DATE RECEIVED

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
 W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

I / We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and form part of this application. I / We understand that this application will not be accepted without the following:

- (a) application fee;
- (b) site plan sketch that includes all relevant detail to the proposed development (e.g.: proposed and existing structures, property lines, creeks/ravines, parking and vehicle access, building plans, etc.)

APPLICANT INFORMATION			COMPLETE IF DIFFERENT FROM APPLICANT		
NAME OF APPLICANT			NAME OF REGISTERED OWNER		
ADDRESS			ADDRESS		
POSTAL CODE			POSTAL CODE		
EMAIL ADDRESS*			EMAIL ADDRESS*		
*By supplying the Town with an email address, you agree to receive correspondence by email.					
PHONE (CELL)	PHONE (RES)	PHONE (BUS)	PHONE (CELL)	PHONE (RES)	PHONE (BUS)

LAND INFORMATION			
Address of proposed development site: _____			
Legal description of proposed development site: REGISTERED PLAN: _____ BLOCK: _____ LOT (parcel): _____			
Other legal description: _____			
Description of the existing use of the land: _____			
Proposed Development: _____			
Estimated:	Date of Commencement: _____	Date of Completion: _____	Value of Construction: \$ _____

FOR NEW CONSTRUCTION ONLY			
LOT AREA: _____	LOT WIDTH: _____	LOT LENGTH: _____	PERCENTAGE OF LOT OCCUPIED: ____%
LOT TYPE: <input type="checkbox"/> INTERIOR <input type="checkbox"/> CORNER <input type="checkbox"/> WITH LANE <input type="checkbox"/> WITHOUT LANE			
PRINCIPLE BUILDING YARDS:	FRONT: _____	REAR: _____	SIDES: _____
ACCESSORY BUILDING YARDS:	FRONT: _____	REAR: _____	SIDES: _____

DECLARATION

I/WE HEREBY AUTHORIZE REPRESENTATIVES OF THE TOWN TO ENTER MY/OUR LAND FOR THE PURPOSE OF CONDUCTING A SITE INSPECTION IN CONNECTION WITH THIS APPLICATION

I/WE HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT

NOTE:

Signature of Registered
Landowner required if different
from Applicant

Date

SIGNATURE OF APPLICANT

Date

SIGNATURE OF REGISTERED LANDOWNER / LEASEHOLDER

FOR ADMINISTRATIVE USE

LAND USE DISTRICT: _____

FEE ENCLOSED: YES NO AMOUNT: \$ _____ RECEIPT NO.: _____

DEFINED USE: _____

PERMITTED/DISCRETIONARY: _____

VARIANCE: _____

Notice of Collection

Protection of Privacy - Any personal information that the Town of Wembley may collect on this form is in compliance with Section 33(c) of the [Alberta Freedom of Information and Protection of Privacy Act](#) and will be protected under Part 2 of the Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection, please contact the Town's Freedom of Information and Protection of Privacy Coordinator at (780) 766-2269 or admin@wembley.ca.



DEVELOPMENT PERMIT TIME EXTENSION FORM B

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

Development Permit No.:	
Name of Applicant:	
Legal Description:	

Section 684 of the Municipal Government Act, R.S.A. 2000 states an application for a development permit is, at the option of the applicant, deemed to be refused if the decision of a development authority is not made within 40 days after receipt of the application unless the applicant has entered into an agreement with the development authority to extend the 40-day period.

In accordance with Section 684 of the Municipal Government Act, S.A. 2000, as amended, please complete the following consent form agreeing to extend the 40-day period within which the Town of Wembley must make a decision.

TIME EXTENDED TO: _____, _____
Month Day Year

I, the applicant, agree to extend the time period within which the Town of Wembley has to make a decision on the development permit application.

APPLICANT: _____
Signature Date

I, the Development Officer, agree to extend the time period within which the Town of Wembley has to make a decision on the development permit application.

DEVELOPMENT OFFICER: _____
Signature Date



DEVELOPMENT PERMIT FORM C

FOR ADMINISTRATIVE USE
APPLICATION NO.
PERMIT NO.

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
 W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

Upon technical review, Development Permit No. *(insert permit number)* as applied for by *(insert name of applicant)* for *(insert proposed use)* on *(insert legal description)/(insert street address)* has been:

- APPROVED
- APPROVED WITH THE FOLLOWING CONDITIONS

- REFUSED FOR THE FOLLOWING REASONS

If approved, you are hereby authorized to proceed with the development specified provided after twenty-one (21) days of the issuance of this permit, provided that: any stated conditions are complied with; that the development is in accordance with any approved plans and the application; and that a Building Permit is obtained if construction is involved. If the application has been refused, or if you object to any conditions of approval, you may file an appeal with the Clerk of the Intermunicipal Subdivision and Development Appeal Board c/o County of Grande Prairie, 10001 – 84 Avenue, Clairmont, AB, T8X 5B2. Contact the Development Officer at (780) 766-2269 if you require assistance.

Should an appeal be made against this decision to the Intermunicipal Subdivision and Development Appeal Board, the development permit shall be null and void pending the outcome of the appeal.

Date of Decision: _____

Signature of Development Officer: _____

NOTE:

- (1) Failure to comply with the conditions of this permit will result in punitive action being taken by the Development Officer as authorized by sections 557, 566, and 646 of the Municipal Government Act.
- (2) The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Clerk of the Intermunicipal Subdivision and Development Appeal Board within twenty-one (21) days of the date of the Notice of Decision.



NOTICE OF DECISION OF DEVELOPMENT OFFICER FORM D

FOR ADMINISTRATIVE USE
APPLICATION NO.

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

Take notice that the following development permit for the proposed use listed below has been APPROVED by the Development Officer for the Town of Wembley:

Name of Registered Owner:	
Name of Applicant:	
Purpose of Proposed Development:	
Legal Description:	
Street Address:	

Any person claiming to be affected by the decision of the Development Officer may appeal to the Clerk of the Intermunicipal Subdivision and Development Appeal Board c/o County of Grande Prairie, 10001 – 84 Avenue, Clairmont, AB, T8X 5B2. Such an appeal shall be in writing and delivered personally, by email, or by registered mail to the Clerk **within twenty-one (21) days of the date of this notice of decision**. The notice of appeal shall contain a statement indicating the reasons for the appeal. The appeal form shall be accompanied by a fee of \$500.00.

Date of Notice of Decision: _____
(Insert Name), Development Officer
Town of Wembley

Attachment: Development Permit No. _____



SUBDIVISION APPLICATION FORM E

FOR ADMINISTRATIVE USE
APPLICATION NO.
DATE RECEIVED
DATE COMPLETE

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
 W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

This form is to be completed in full wherever applicable by the registered land owner that is the subject of the application or by a person authorized to act on the registered owner's behalf (all form content is regulated by Section 4 of the Subdivision and Development Regulation 43/2002 of the Municipal Government Act).

LANDOWNER INFORMATION	PERSON AUTHORIZED TO ACT ON BEHALF OF THE REGISTERED OWNER (IF APPLICABLE)
NAME OF REGISTERED OWNER	NAME OF AGENT
ADDRESS	ADDRESS
POSTAL CODE	POSTAL CODE
EMAIL ADDRESS*	EMAIL ADDRESS*
*By supplying the Town with an email address, you agree to receive correspondence by email.	
PHONE (CELL)	PHONE (CELL)
PHONE (RES)	PHONE (RES)
PHONE (BUS)	PHONE (BUS)

LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED
All/part of Lot: _____ Block: _____ Registered Plan No. _____ C.O.T No.: _____ All/part of the _____ ¼ Section _____ Township 71 Range 8 West of the 6 th Meridian Municipal Address (if applicable): _____ Area of the above parcel to be subdivided: _____ Hectares

LOCATION OF LAND TO BE SUBDIVIDED
(a) The land is situated in the municipality of the Town of Wembley. (b) Is the land situated immediately adjacent to the municipal border? <input type="checkbox"/> Yes <input type="checkbox"/> No (c) Is the land situated within 1.6 kilometers of the centre line of Highway 43? Yes <input type="checkbox"/> No <input type="checkbox"/> (d) Does the proposed parcel contain or is it adjacent to a body of water or by a drainage ditch or canal? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, state the name: _____ (e) Is the proposed parcel within 1.5 kilometers of a sour gas facility? Yes <input type="checkbox"/> No <input type="checkbox"/>

EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- (a) Existing use of the land: _____
- (b) Proposed use of the land: _____
- (c) The designated use of the land as classified under the Land Use Bylaw: _____

PHYSICAL CHARACTERISTICS OF THE LAND TO BE SUBDIVIDED (WHERE APPROPRIATE)

- (a) Describe the nature of the topography of the land (flat, rolling, steep, mixed): _____
- (b) Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc., – sloughs, creeks, etc.): _____
- (c) Describe the kind of soil on the land (sandy, loam, clay etc.): _____

EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED

Describe any buildings and any structures on the land and whether they are to be demolished or moved:

REGISTERED LANDOWNER OR PERSON ACTING ON THE REGISTERED OWNER'S BEHALF

I, _____, hereby certify that

- I am the registered landowner or;
- I am the agent authorized to act on behalf of the registered landowner;

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

ADDRESS _____ SIGNATURE _____

PHONE NO. _____ DATE _____

SIGNED COPY OF AGENT AUTHORIZATION MUST BE ATTACHED TO THIS FORM, IF APPLICABLE. FURTHER INFORMATION MAY BE PROVIDED BY THE APPLICANT ON THE REVERSE OF THIS FORM

Notice of Collection

Protection of Privacy - Any personal information that the Town of Wembley may collect on this form is in compliance with Section 33(c) of the [Alberta Freedom of Information and Protection of Privacy Act](#) and will be protected under Part 2 of the Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection, please contact the Town's Freedom of Information and Protection of Privacy Coordinator at (780) 766-2269 or admin@wembley.ca.



NOTIFICATION: SUBDIVISION APPLICATION DEEMED COMPLETE

FORM F

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

File Number:	
Name of Applicant:	
Address of Applicant:	
Legal Description:	
Date Received:	

Please be advised that your Subdivision Application has been **deemed complete**.

Review of this application has now commenced. The Town has 60 days from the date of this notice to make a decision on your subdivision permit application. If a decision is not rendered within 60 days, you may consider this application refused and an appeal may be submitted to the Intermunicipal Subdivision and Development Appeal Board. Alternatively, the Development Officer may request a subdivision time extension should additional time be required for review.

Yours truly,

Authorized Authority on Behalf of the Town of Wembley

Date



RIGHT OF ENTRY - SUBDIVISION FORM G

FOR ADMINISTRATIVE USE
APPLICATION NO.
DATE RECEIVED
DATE COMPLETE

To be attached to Subdivision Application – Form E

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

DISCLAIMER

RIGHT OF ENTRY FOR THE PURPOSES OF A SITE INSPECTION BY AN AUTHORIZED PERSON OF THE TOWN OF WEMBLEY FOR LAND AFFECTED BY A PROPOSED SUBDIVISION APPLICATION.

Section 653(2) of the Municipal Government Act, R.S.A. 2000 states

“If a subdivision application includes a form on which the applicant for subdivision approval may or may not consent to the municipality or its delegate carrying out an inspection, at a reasonable time, of the land that is the subject of the application and if the applicant signs a consent to the inspection, a notice of inspection is not required to be given under section 542(1).”

IN ACCORDANCE WITH SECTION 653 OF THE MUNICIPAL GOVERNMENT ACT, R.S.A 2000, PLEASE COMPLETE THE FOLLOWING RIGHT OF ENTRY FORM AND SUBMIT WITH YOUR SUBDIVISION APPLICATION.

I agree to the above Disclaimer and I hereby give consent for an authorized person of the **Town of Wembley** to enter upon the land that is subject to a subdivision application for the purposes of making a site inspection in order to evaluate the proposed subdivision.

If you wish to be present at the time of site inspection, please check the following box:

LEGAL DESCRIPTION OF LAND: _____

OWNER'S NAME: _____

OWNER'S SIGNATURE: _____

DATE: _____

Notice of Collection

Protection of Privacy - **Any personal information that the Town of Wembley may collect on this form is in compliance with Section 33(c) of the *Alberta Freedom of Information and Protection of Privacy Act* and will be protected under Part 2 of the Act. The information collected is required for the purpose of processing the Subdivision Application. If you have any questions about the collection, please contact the Town's Freedom of Information and Protection of Privacy Coordinator at (780) 766-2269 or admin@wembley.ca.**



SUBDIVISION TIME EXTENSION

FORM H

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

Subdivision File No.:	
Name of Applicant:	
Legal Description:	

The Municipal Government Act, S.A. 2000, Section 681(1) states:

If a subdivision authority fails or refuses to make a decision on an application for subdivision approval within the time prescribed by the subdivision and development regulations, the application may, within 14 days after the expiration of the time prescribed, (a) treat the application as refused and appeal in accordance with Section 678, or (b) enter into an agreement with the subdivision authority to extend the time prescribed in the subdivision and development regulations.

In accordance with Section 681(1)(b) of the Municipal Government Act, S.A. 2000, as amended, please complete the following consent form agreeing to extend the 60-day period within which the Town of Wembley must make a decision.

TIME EXTENDED TO: _____, _____
Month Day Year

I, the applicant, agree to extend the time period within which the Town of Wembley has to make a decision on the subdivision application.

APPLICANT: _____
Signature Date

I, the Development Officer, agree to extend the time period within which the Town of Wembley has to make a decision on the subdivision application.

DEVELOPMENT OFFICER: _____
Signature Date



DESIGNATION OF AUTHORIZED AGENT FORM I

FOR ADMINISTRATIVE USE
APPLICATION NO.
*To be attached to Form A, E, and/or
J where applicable*

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

LAND INFORMATION

Legal description of proposed development site:								
REGISTERED PLAN	BLOCK	LOT	OR	QTR	SEC	TWP 71	RG 8	W6M

The undersigned, registered owners of the above noted property, do hereby authorize:

_____ Agent (Printed Name)

_____ Company Name (if applicable)

To act as my/our agent for the following application on the lands described above.

Land Use Bylaw Amendment

Subdivision

Development Permit

LANDOWNER INFORMATION

_____ Landowner (Printed Name)	_____ Landowner (Signature)
_____ Landowner (Printed Name)	_____ Landowner (Signature)
_____ Landowner (Printed Name)	_____ Landowner (Signature)
_____ Landowner (Printed Name)	_____ Landowner (Signature)
_____ Company Name (Printed Name)	_____ Date

Notice of Collection

Protection of Privacy - Any personal information that the Town of Wembley may collect on this form is in compliance with Section 33(c) of the *Alberta Freedom of Information and Protection of Privacy Act* and will be protected under Part 2 of the Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection, please contact the Town's Freedom of Information and Protection of Privacy Coordinator at (780) 766-2269 or admin@wembley.ca.



LAND USE BYLAW AMENDMENT APPLICATION FORM J

FOR ADMINISTRATIVE USE
APPLICATION NO.
DATE RECEIVED
DATE COMPLETE

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
 W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

I / We hereby make application to amend the Town of Wembley Land Use Bylaw in accordance with the plans and supporting information submitted herewith and form part of this application.

APPLICANT INFORMATION			COMPLETE IF DIFFERENT FROM APPLICANT		
NAME OF APPLICANT			NAME OF REGISTERED OWNER		
ADDRESS			ADDRESS		
POSTAL CODE			POSTAL CODE		
EMAIL ADDRESS*			EMAIL ADDRESS*		
*By supplying the Town with an email address, you agree to receive correspondence by email.					
PHONE (CELL)	PHONE (RES)	PHONE (BUS)	PHONE (CELL)	PHONE (RES)	PHONE (BUS)

AMENDMENT INFORMATION
FORM OF AMENDMENT <input type="checkbox"/> Land Use Bylaw Map Amendment (Redesignation of Land) Current Land Use District: _____ Proposed Land Use District: _____
<input type="checkbox"/> Text Amendment Description of Amendment:

LAND INFORMATION (IF LAND USE BYLAW MAP AMENDMENT)
All/part of Lot: _____ Block: _____ Registered Plan No. _____ C.O.T No.: _____ All/part of the _____ ¼ Section _____ Township 71 Range 8 West of the 6 th Meridian Municipal Address (if applicable): _____

SIGNATURES

I/We enclose the required application fee of \$ _____

The following information is to be attached to this application (if the amendment is for the redesignation of land):

- On a separate sheet, provide a scaled site plan of the property to be redesignated and the land uses surrounding the subject property within a 90 metre (285 ft) radius of the boundaries of the site.
- Current copy of the title.
- Copy of the caveats or restrictive covenants registered against the title affecting the land use.
- Completed Owner's Authorization (Form I) where the applicant is an agent for the owner.

The Development Officer may refuse to accept an application to amend the Land Use Bylaw if the information required has not been supplied or if, in his/her opinion, it is of inadequate quality to properly evaluate the application.

I/we hereby authorize representatives of the Town to enter my/our land for the purpose of conducting a site inspection in connection with this application. I/we also hereby declare that the above information is, to the best of my/our knowledge, factual and correct

_____ Date

SIGNATURE OF APPLICANT

PRINTED NAME OF APPLICANT

NOTE:

Signature of **ALL** Registered Land Owner(s) required if different from Applicant. If there are more than two (2) registered landowners attach an additional sheet to this application.

_____ Date

SIGNATURE OF REGISTERED LANDOWNER(S)

PRINTED NAME OF REGISTERED LANDOWNER(S)

_____ Date

SIGNATURE OF REGISTERED LANDOWNER(S)

PRINTED NAME OF REGISTERED LANDOWNER(S)

FOR ADMINISTRATIVE USE

LAND USE DISTRICT: _____

FEE ENCLOSED: YES NO AMOUNT: _____ RECEIPT NO.: _____

BYLAW NO. _____

FIRST READING DATE: _____ PUBLIC HEARING DATE: _____

SECOND READING DATE: _____ THIRD/FINAL READING DATE: _____

Notice of Collection

Protection of Privacy - Any personal information that the Town of Wembley may collect on this form is in compliance with Section 33(c) of the [Alberta Freedom of Information and Protection of Privacy Act](#) and will be protected under Part 2 of the Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection, please contact the Town's Freedom of Information and Protection of Privacy Coordinator at (780) 766-2269 or admin@wembley.ca.



DEMOLITION PERMIT APPLICATION

FORM K

Town of Wembley, 9940-101 Street, Box 89, Wembley, AB, T0H 2C0
 W: www.wembley.ca | E: admin@wembley.ca | T: (780) 766-2269 | F: (780) 766-2868

All applications not submitted electronically must be completed in ink. Pencil will not be accepted.

PROPOSED LOCATION AND OWNER ON TITLE	Municipal Address:	
	Legal Description:	Lot: Block: Plan:
	Name:	Phone #:
	Address:	Email:
APPLICANT (If Different)	Name:	Phone#:
	Address:	Email:
CONTRACTOR INFORMATION (If Different)	Name:	Business License #:
	Phone #:	Site Contact:
	Address:	Email:
ASBESTOS (If Applicable)	To be signed by the owner of the building or their agent: I, _____ declare that all the asbestos in the building to be demolished has been removed in accordance with regulations made pursuant to the Occupational Health and Safety Act.	
TYPE	What was the former intended use of the building being demolished?	
UTILITIES SIGNATURES REQUIRED FOR ALL SERVICES	Aquatera Billing Dept. (780.538.0348) or (connections@aquatera.ca)	
	Aquatera Engineering Services (780.538.0348) or (connections@aquatera.ca)	
	ATCO ELECTRIC (780.538.7028) OR (grandeprairieservice@atco.com)	
	ATCO GAS (780.539.2400) OR (tim.boutillier@atco.com)	
	Town of Wembley Fire Department (780.766.3170) or (firechief@wembley.ca)	
	Telus (780.518.2984) or (Geoffrey.mitchell1@telus.com)	

OFFICE USE (Fees)	Date Paid: _____ Receipt# _____	Permit Issuer (signature): _____
	Payment: Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Debit <input type="checkbox"/> Credit <input type="checkbox"/>	Permit Issuer (print): _____
	Demolition Fee: _____	Designation#: _____
	Safety Codes Fee: _____	Date Issued: _____
		Permit #: _____

I, _____, hereby declare I am I represent the owner of the property.

